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TITLE 5—ADMINISTRATIVE PERSONNEL

Chapter III—Foreign and Territorial Compensation

Subchapter B—The Secretary of State

[Dept. Reg. 108.163]

PART 325—ADDITIONAL COMPENSATION IN FOREIGN AREAS

SEPTEMBER 2, 1952.

Section 325.11 *Designation of differential posts* is amended as follows, effective on the dates indicated:

1. Effective as of the beginning of the first pay period following September 13, 1952, paragraph (a) is amended by the deletion of the following post:

Kenya, all posts except Kisumu, Mombasa, Nairobi, Naivasha, and Nakuru.

2. Effective as of the beginning of the first pay period following September 13, 1952, paragraph (b) is amended by the deletion of the following posts:

India, all posts except Bombay, Calcutta, Cuddalore, Delhi, Izatnagar, Kharagpur, Madras, Nabha, Nagpur, New Delhi, Poona, Shillong, and Simla;
Valles, Mexico.

3. Effective as of the beginning of the first pay period following September 13, 1952, paragraph (d) is amended by the deletion of the following post:

San Pedro Sula, Honduras.

4. Effective as of the beginning of the first pay period following June 7, 1952, paragraph (a) is amended by the addition of the following post:

Grand Turk Island, Bahamas.

5. Effective as of the beginning of the first pay period following June 21, 1952, paragraph (a) is amended by the addition of the following post:

Riberalta, Bolivia.

6. Effective as of the beginning of the first pay period following August 2, 1952, paragraph (a) is amended by the addition of the following post:

Sebaco, Nicaragua.

7. Effective as of the beginning of the first pay period following September 13, 1952, paragraph (a) is amended by the addition of the following posts:

Hyderabad, India;
Patiala, India.

8. Effective as of the beginning of the first pay period following September 13, 1952, paragraph (b) is amended by the addition of the following post:

India, all posts except Bombay, Calcutta, Cuddalore, Delhi, Hyderabad, Izatnagar, Kharagpur, Madras, Nabha, Nagpur, New Delhi, Patiala, Poona, Shillong and Simla.

9. Effective as of the beginning of the first pay period following September 13, 1952, paragraph (c) is amended by the addition of the following posts:

San Pedro Sula, Honduras;
Valles, Mexico.

10. Effective as of the beginning of the first pay period following June 7, 1952, paragraph (d) is amended by the addition of the following post:

Ernest Harmon Air Force Base, Newfoundland, Canada.

11. Effective as of the beginning of the first pay period following September 13, 1952, paragraph (d) is amended by the addition of the following post:

Mazatlan, Mexico.

For the Secretary of State.

W. K. SCOTT,
Acting Deputy Under Secretary.

[F. R. Doc. 52-9956; Filed, Sept. 11, 1952; 8:46 a. m.]

TITLE 7—AGRICULTURE

Chapter IV—Federal Crop Insurance Corporation, Department of Agriculture

[Amdt. 5]

PART 417—TOBACCO CROP INSURANCE

SUBPART—REGULATIONS FOR THE 1950 AND SUCCEEDING CROP YEARS

The above-identified regulations, as amended (14 F. R. 5298, 6675; 15 F. R. 2483; 16 F. R. 4297, 4609; 17 F. R. 2109, 5057), are hereby amended, effective be-

(Continued on p. 8205)

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FEDERAL REGISTER

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CODIFICATION GUIDE

A numerical list of the parts of the Code of Federal Regulations affected by documents published in this issue. Proposed rules, as opposed to final actions, are identified as such.

ginning with the 1953 crop year, as follows:

1. Section 417.4 is amended to read as follows:

§ 417.4 *Application for insurance.* (a) Applications for insurance on a Corporation form entitled "Application for Crop Insurance on Tobacco" may be made by any person to cover his interest as landlord, owner-operator, tenant, or sharecropper in a tobacco crop.

(b) Application for insurance on a Corporation form entitled "Application for Tobacco Crop Insurance on Sharecropper Interest" may be made by any owner-operator or tenant-operator to cover the interest(s) which a sharecropper(s) has in a tobacco crop in which such farm operator has an interest: *Provided*, That if the sharecropper has an individual contract his insurance shall be in force under his individual contract and not under a sharecropper interest contract. Under any sharecropper interest contract, notwithstanding any provision(s) of the policy issued by the Corporation to the contrary, (1) the applicant shall be considered the insured under such contract and the interest(s) insured shall be considered as his interest(s), (2) premiums (except for discounts for early payment and reductions based on good experience) and losses shall be computed and transfers of interest shall be made in the same manner and under the same terms and conditions as if the sharecropper(s) had signed (and the Corporation had accepted) an individual application for insurance on the form provided by the Corporation for that purpose, (3) for purposes of determining any reduction in premium for good experience, the first sharecropper interest contract accepted for an operator shall be considered to have the same number of years without a loss which the operator has under his individual contract, (4) the applicant shall designate on his annual acreage report the name of each sharecropper and the acreage allocated to him, (5) any indemnity shall be paid to the insured for the benefit of the sharecropper(s) (or transferee(s)) allocated the insurance unit on which the loss occurred and payment shall be made by joint check payable to the insured and said sharecropper(s) (or transferee(s)), (6) collateral assignments shall not be honored but the insured shall from the proceeds of the joint check be entitled to any amounts owed him for advances to finance the current tobacco crop on the insurance unit, and (7) the Corporation shall not deduct from any indemnity any amount in excess of the current premium on the insurance unit, except amount(s) owing the Corporation by the sharecropper(s) (or transferee(s)) allocated the insurance unit on which the loss occurred.

(c) For any crop year applications shall be submitted to the county office on or before the following applicable closing date preceding such crop year:

Type of tobacco:	*Date*	Type of tobacco:	*Date*
11a	May 5	14	Mar. 31
11b	Apr. 30	21	May 5
12	Apr. 25	22	May 15
13	Apr. 15	23	May 15
31	May 15	51	May 31
35	May 15	52	May 31
36	May 15	54	May 31
41	May 31	55	May 31

2. Section 417.9 is deleted.

3. Section 417.10 is deleted.

4. Section 417.12 is amended by striking therefrom "§ 417.9" and substituting therefor the words "the policy set forth in § 417.16".

5. Section 417.14 is deleted.

6. Section 3 of the policy shown in § 417.16 is amended by deleting from paragraph (a) the words "(as defined in section 13)".

7. Section 5 of the policy shown in § 417.16 is amended to read as follows:

(a) The coverage per acre for yield-quality insurance shall be the product of the market price (as determined by the Corporation in accordance with Section 28) and the applicable number of pounds of tobacco shown on the approved county actuarial table for (1) the area in which the insured acreage is located or (2) the coverage group assigned to the person who owns the land at the time of planting the tobacco crop. The coverage per acre for investment insurance shall be the applicable number of dollars shown on the approved county actuarial table for (1) the area in which the insured acreage is located or (2) the coverage group assigned to the person who owns the land at the time of planting the tobacco crop. Land rented for cash or a fixed commodity rent shall be considered as owned by the lessee.

(b) The coverage per acre for both yield-quality insurance and investment insurance is progressive depending upon (1) whether the acreage is harvested or unharvested (acreage destroyed or substantially destroyed before harvest shall be considered unharvested) in the case of types 41, 51, 52, 54, and 55, or (2) whether harvest has begun on the insurance unit or the acreage is destroyed or substantially destroyed before the beginning of harvest in the case of types 11, 12, 13, 14, 21, 22, 23, 31, 35, and 36.

8. Section 7 of the policy shown in § 417.16 is amended by changing paragraph (a) to read as follows:

(a) Subject to the provisions of this section, the contract shall be in effect for the first crop year specified on the application and shall continue in effect for each succeeding crop year until canceled by either the insured or the Corporation. Cancellation may be made by either party giving written notice to the other party on or before the applicable cancellation date preceding the planting of the crop for which the cancellation is to become effective; *Provided, however*, If any amount due the Corporation remains unpaid on such cancellation date or if by such date the insured has not complied with a request by the Corporation that arrangements satisfactory to the Corporation be made for the payment of the following year's premium, the time during which the Corporation may cancel shall be extended 15 days beyond the following closing date for filing applications for insurance. Any notice of cancellation by the insured shall be in writing and shall be filed with the county office of the Corporation. The Corporation shall mail any notice of cancellation or any request that arrangements be made for the payment of a premium to the insured's last known address and mailing shall constitute notice to the insured.

9. The policy shown in § 417.16 is amended by adding thereto a section 7.1 to read as follows:

7.1 *Death or incompetence of insured.* The contract shall terminate upon death, or judicial declaration of incompetence of the insured, except that if such death or judicial declaration of incompetence occurs after the beginning of planting of tobacco in any crop year but before the end of the insurance period for such year, the contract shall (a) cover any additional tobacco planted for the insured or his estate for that crop year, and (b) terminate at the end of such insurance period.

10. Section 13 of the policy shown in § 417.16 is amended to read as follows:

13. *Released acreage.* Any insured acreage on which the tobacco crop has been destroyed or substantially destroyed may be released by the Corporation. No insured acreage may be put to another use until the Corporation releases such acreage. On any acreage where the tobacco has been partially destroyed but not released by the Corporation, proper measures shall be taken to protect the crop from further damage. There shall be no abandonment of any crop or portion thereof to the Corporation.

11. Section 20 of the policy shown in § 417.16 is amended to read as follows:

20. *Determination of person to whom indemnity shall be paid.* If the insured dies, is judicially declared incompetent or disappears after the planting of the tobacco crop in any year any indemnity which is, or becomes, part of his estate shall be paid to the legal representative of the estate. Should no such representative be qualified, the Corporation may pay the indemnity to the person(s) it determines to be beneficially entitled thereto or to any one or more of such persons on behalf of all such persons, or may withhold payment until a legal representative of the estate is qualified. In such cases, and in any other case where an indemnity is claimed by a person(s) other than the original insured or diverse interests appear with respect to any insurance unit the determination of the Corporation as to the existence or non-existence of a circumstance in the event of which payment may be made and of the person(s) to whom such payment shall be made shall be final and conclusive. Payment of an indemnity shall constitute a complete discharge of the Corporation's obligations with respect to the loss for which such indemnity is paid and shall be a bar to recovery by any other person(s).

12. Section 27 of the policy shown in § 417.16 is amended by changing paragraph (a) to read as follows:

(a) In addition to the terms and provisions in the application and policy, the Tobacco Crop Insurance Regulations for Continuous Contracts in effect for the crop year involved shall govern with respect to (1) minimum participation requirements, (2) closing dates for filing applications for insurance, (3) refund of excess note payments, and (4) creditors.

13. Section 28 of the policy shown in § 417.16 is amended by changing paragraph (f) to read as follows:

(f) "Market price" in the case of tobacco of types 11, 12, 13, 14, 21, 22, 23, 31, 32, 35, and 36 means the average auction price of the applicable type (less warehouse charges), as determined by the Corporation, during the first twenty-five market days of auction sales for the belt area, adjusted where applicable for normal trend, except that a shorter period may be used if the Corporation determines that approximately 60 percent of the tobacco crop is sold in such period. In the case of tobacco of types 41, 51, 52, 54, and 55, the "market price" shall be that price determined by the Corporation.

14. Section 28 of the policy shown in § 417.16 is further amended by changing paragraph (i) to read as follows:

(i) "Sharecropper" means a person who works tobacco with workstock and equipment not furnished by himself and is entitled to receive a share of the tobacco or of the proceeds therefrom.

(Secs. 506, 516, 52 Stat. 73, 77, as amended; 7 U. S. C. 1506, 1516. Interpret or apply secs. 507–509, 52 Stat. 73–75, as amended; 7 U. S. C. 1507–1509)

Adopted by the Board of Directors on September 4, 1952.

[SEAL] R. J. POSSON,
Secretary,
Federal Crop Insurance Corporation.

Approved: September 8, 1952.

CHARLES F. BRANNAN,
Secretary of Agriculture.

[F. R. Doc. 52-9966; Filed, Sept. 11, 1952; 8:49 a. m.]

[Amdt. 3]

PART 419—COTTON CROP INSURANCE

SUBPART—REGULATIONS FOR THE 1952 AND SUCCEEDING CROP YEARS

The above-identified regulations, as amended (16 F. R. 7975, 11565; 17 F. R. 2110, 5633), are hereby amended, effective beginning with the 1953 crop year, as follows:

1. Section 419.8 is deleted.
2. Section 419.11 is deleted.
3. Section 419.13 *The policy* is amended by changing paragraphs (a) and (b) of section 8 of the policy to read as follows:

8. *Life of contract, cancellation thereof.* (a) Subject to the provisions of this section, the contract shall be in effect for the first crop year specified on the application and shall continue in effect for each succeeding crop year until canceled by either the insured or the Corporation. Cancellation may be made by either party giving written notice to the other party on or before December 31 preceding the planting of the crop for which the cancellation is to become effective; provided, however, if any amount due the Corporation remains unpaid on such cancellation date, or if by such date the insured has not complied with a written request by the Corporation that arrangements satisfactory to the Corporation be made for the payment of the following year's premium, the time during which the Corporation may cancel shall be extended 15 days beyond the following closing date for filing applications for insurance. Any notice of cancellation by the insured shall be in writing and shall be filed with the county office of the Corporation. The Corporation shall mail any notice of cancellation or request that arrangements be made for the payment of a premium to the insured's last known address and mailing shall constitute notice to the insured.

(b) If the insured cancels the contract, he shall not be eligible for cotton crop insurance for the next succeeding crop year unless subsequent to such cancellation he files an application for insurance on or before December 31 preceding such year.

4. The policy shown in § 419.13 is amended by adding thereto a section 8.1 to read as follows:

8.1 *Death or incompetence of insured.* The contract shall terminate upon death or judicial declaration of incompetence occurs after the beginning of planting of the cotton crop in any crop year but before the end of the insurance period for such year, the contract shall (a) cover any additional cotton planted for the insured or his estate for that crop year, and (b) terminate at the end of such insurance period.

5. Section 419.13, *The policy,* is amended to change so much of section 12 of the policy, as amended, as reads "October 31 of each year shall be the interest date for all other counties" to read as follows: "November 30 of each year shall be the interest date for all other counties."

6. Section 419.13, *The policy,* is amended by deleting items (a) (3) and (6) from section 28 of the policy.

7. Section 419.13, *The policy,* is amended by deleting from section 31 of the policy, *Date table,* as amended, the column headed "cancellation date" and substituting in lieu thereof the following: "December 31 shall be the cancellation date for all states and counties."

(Secs. 506, 516, 52 Stat. 73, 77, as amended; 7 U. S. C. 1506, 1516. Interpret or apply secs. 507–509, 52 Stat. 73–75, as amended; 7 U. S. C. 1507–1509)

Adopted by the Board of Directors on September 4, 1952.

[SEAL] R. J. POSSON,
Secretary,
Federal Crop Insurance Corporation.

Approved: September 8, 1952.

CHARLES F. BRANNAN,
Secretary of Agriculture.

[F. R. Doc. 52-9968; Filed, Sept. 11, 1952; 8:49 a. m.]

[Amdt. 9]

PART 420—MULTIPLE CROP INSURANCE

SUBPART—REGULATIONS FOR THE 1950 AND SUCCEEDING CROP YEARS

The above-identified regulations, as amended (14 F. R. 5303, 6787, 7827; 15 F. R. 2485, 2622, 3077, 4161, 9033, 9271; 16 F. R. 579, 4300, 4829, 12111, 12765; 17 F. R. 2110, 2385, 3265, 3671, 5082, 5933), are hereby amended as follows:

1. Section 420.34, as amended, is amended to change paragraph (d) (4) thereof to read as follows: "(4) additional definitions which may include changes in the definition of an insurance unit contained in the policy."

(Secs. 506, 516, 52 Stat. 73, 77, as amended; 7 U. S. C. 1506, 1516. Interpret or apply secs. 507–509, 52 Stat. 73–75, as amended; 7 U. S. C. 1507–1509)

Adopted by the Board of Directors on September 4, 1952.

[SEAL] R. J. POSSON,
Secretary,
Federal Crop Insurance Corporation.

Approved: September 8, 1952.

CHARLES F. BRANNAN,
Secretary of Agriculture.

[F. R. Doc. 52-9967; Filed, Sept. 11, 1952; 8:49 a. m.]

TITLE 9—ANIMALS AND ANIMAL PRODUCTS

Chapter I—Bureau of Animal Industry, Department of Agriculture

Subchapter D—Exportation and Importation of Animals and Animal Products

PART 95—SANITARY CONTROL OF ANIMAL BYPRODUCTS (EXCEPT CASINGS), AND HAY AND STRAW, OFFERED FOR ENTRY INTO THE UNITED STATES

IMPORTATION OF CERTAIN ANIMAL BYPRODUCTS

On June 19, 1952, there was published in the FEDERAL REGISTER (17 F. R. 5521) a notice of proposed amendments of the regulations governing the sanitary control of animal byproducts (except casings), and hay and straw, offered for entry into the United States (9 CFR Part 95, as amended). After due consideration of all relevant material submitted in connection with the notice, the Secretary of Agriculture, pursuant to the authority conferred upon him by section 2 of the act of Congress approved February 2, 1903, as amended (sec. 2, 32 Stat. 792, as amended; 21 U. S. C. 111), hereby amends Part 95, Subchapter D, Chapter 1, Title 9, Code of Federal Regulations, as follows:

1. Section 95.1 (l) is amended to read as follows:

§ 95.1 *Definitions.* * * *

(l) *Bone meal.* "Bone meal" means ground animal bones and hoof meal and horn meal.

* * * * * *

2. Section 95.11 is amended to read as follows:

§ 95.11 *Bones, horns, and hoofs for trophies or museums.* Clean, dry bones, horns, and hoofs, that are free from undried pieces of hide, flesh, and sinew and are offered for entry as trophies or for consignment to museums may be imported without other restrictions.

3. Section 95.12 (c) is amended by changing the first sentence to read as follows:

§ 95.12 *Bones, horns, and hoofs; importations permitted subject to restrictions.* * * *

(c) They shall be handled at the establishment under the direction of an inspector in a manner to guard against the dissemination of anthrax, foot-and-mouth disease, and rinderpest, and the bags, burlap, or other containers thereof, before leaving the establishment, shall be disinfected by heat or otherwise, as directed by the Chief of Bureau or burned at the establishment. * * *

* * * * * *

4. Present § 95.14 is revoked. Present § 95.13 is redesignated § 95.14 and amended to read as follows:

§ 95.14 *Blood meal, tankage, and similar products for use as fertilizer or animal feed; requirements for entry.* Dried blood or blood meal, lungs or other organs, tankage, meat meal, wool waste,

wool manure, and similar products for use as fertilizer or as feed for domestic animals shall not be imported unless such products:

(a) Originated in and were shipped directly from a country not declared by the Secretary of Agriculture to be infected with foot-and-mouth disease or rinderpest; or

(b) Are accompanied by the certificate of a consular officer showing that in the process of manufacture the particular product was heated throughout to a temperature of not less than 156° Fahrenheit (68.9° Centigrade).

5. A new § 95.13 is added to read as follows:

§ 95.13 *Bone meal for use as fertilizer or as feed for domestic animals; requirements for entry.* Steamed or degelatinized or special steamed bone meal, which, in the normal process of manufacture, has been prepared by heating bone under a minimum of 20 pounds steam pressure for at least one hour at a temperature of not less than 250° Fahrenheit (121° Centigrade), may be imported without further restrictions for use as fertilizer or as feed for domestic animals if such products are free from pieces of bone, hide, flesh, and sinew and contain no more than traces of hair and wool. Bone meal for use as fertilizer or as feed for domestic animals which does not meet these requirements will not be eligible for entry.

(Sec. 2, 32 Stat. 792, as amended; 21 U. S. C. 111)

The effect of the foregoing amendments is to restrict the entry of all animal bones, including crushed bones, to be used as fertilizer or as feed for domestic animals; to permit the entry of such bones only when consigned to an establishment approved by the Department for handling and further processing in a manner to prevent the dissemination of anthrax, foot-and-mouth disease, and rinderpest; to permit the entry of specially treated bone meal (including hoof meal and horn meal) which has been treated in a manner to assure the destruction of any anthrax spores present in such product; to prohibit the entry of any other bone meal (including hoof meal and horn meal) for use as fertilizer or as feed for domestic animals which does not meet these requirements; and to impose stricter requirements upon the importation of tankage, meat meal, wool waste, wool manure and similar products than are presently imposed.

The foregoing amendments shall be effective on the 14th day of October 1952.

Done at Washington, D. C., this 8th of September 1952.

[SEAL] CHARLES F. BRANNAN,
Secretary of Agriculture.

[F. R. Doc. 52-9965; Filed, Sept. 11, 1952; 8:49 a. m.]

TITLE 15—COMMERCE AND FOREIGN TRADE

Chapter III—Bureau of Foreign and Domestic Commerce, Department of Commerce

Subchapter C—Office of International Trade

[6th Gen. Rev. of Export Regs., Amdt. P. L. 9]

PART 399—POSITIVE LIST OF COMMODITIES AND RELATED MATTERS

RICE

Section 399.1 *Appendix A—Positive List of Commodities* is amended in the following particulars:

Effective 12:01 a. m., e. s. t., September 11, 1952, the following commodities are added to the Positive List:

[A = Import certificate. B = DL restrictions. C = Controlled materials]

Dept. of Commerce Schedule B No.	Commodity	Unit	Processing code and related commodity group	GLV dollar value limits	Validated license required	Commodity lists
105500	Paddy or rough rice, for seed [1]	Pound	SEED	25	RO	B
105500	Paddy or rough rice, except for seed [1]	do	CERL	25	RO	B
105710	Milled rice, containing more than 25 percent whole kernels (specify approximate percentage whole kernels) [1]	do	CERL	25	RO	B
105730	Milled rice, containing not more than 25 percent whole kernels (specify approximate percentage whole kernels) [1]	do	CERL	25	RO	B

[1] The commodities covered by this Positive List entry are subject to dollar limit (DL) restrictions (see § 374.2 of this subchapter.)

Shipments of any commodities removed from general license to Country Group R or Country Group O destinations as a result of the changes set forth in this amendment, which were on dock, on lighter, laden aboard an exporting carrier, or in transit to a port of exit pursuant to actual orders for export prior to 12:01 a. m., September 11, 1952, may be exported under the previous general license provisions up to and including October 11, 1952. Any such shipment not laden aboard the exporting carrier on or before October 11, 1952, requires a validated license for export.

(Sec. 3, 63 Stat. 7; 65 Stat. 43; 50 U. S. C. App. Sup. 2023. E. O. 9630, Sept. 27, 1945, 10 F. R. 12245, 3 CFR 1945 Supp.; E. O. 9919, Jan. 3, 1948, 13 F. R. 59, 3 CFR 1948 Supp.)

KARL L. ANDERSON,
Acting Director,
Office of International Trade.

[F. R. Doc. 52-10036; Filed, Sept. 11, 1952; 8:53 a. m.]

TITLE 22—FOREIGN RELATIONS

Chapter I—Department of State

[Dept. Reg. 108.164]

PART 134—CIVIL AVIATION

AIRCRAFT ACCIDENTS

Sections 134.8 to 134.19, Chapter I, Title 22, Code of Federal Regulations are prescribed as follows:

UNITED STATES AIRCRAFT ACCIDENTS ABROAD

Sec.
134.8 Reporting accidents.
134.9 Arranging for entry and travel of investigating and airline representatives.
134.10 Rendering asistance at the scene of the accident.
134.11 Arranging for the payment of expenses attendant upon an accident.
134.12 Protective services for survivors.
134.13 Protective services with respect to deceased victims of accident.
134.14 Salvage of mail and other property.
134.15 Protection and preservation of wreckage.
134.16 Records and reports in connection with investigation.

FOREIGN AIRCRAFT ACCIDENTS INVOLVING UNITED STATES PERSONS OR PROPERTY

134.17 Reports on accident.
134.18 Protection of United States citizens involved.
134.19 Protection of United States property.

AUTHORITY: §§ 134.8 to 134.19 issued under sec. 302, 60 Stat. 1001; 22 U. S. C. 842.

UNITED STATES AIRCRAFT ACCIDENTS ABROAD

§ 134.8 *Reporting accidents*—(a) *To airline and Civil Aeronautics Administration representatives.* If a scheduled United States air carrier is involved, the airline representative concerned will probably be the first to be informed of the accident, in which event he will be expected to report the accident to the Foreign Service post, to the nearest Civil Aeronautics Administration office, and to his home office in the United States. If this is not the case, the Foreign Service post should report promptly to the nearest office of the airline concerned, and to the nearest office of the Civil Aeronautics Administration, any accident occurring to a scheduled civil air carrier of United States registry within its consular district. To be properly prepared, each post should obtain and have on file for ready reference, the address and telephone number of representatives of any United States airline engaged in scheduled operations within or over the post district.

(b) *To Department and supervisory Foreign Service offices.* A Foreign Service post should report promptly to the Department accidents to any United States civil aircraft occurring in the post district. The report should summarize all available information and, in the case of a scheduled United States air carrier, should state whether the airline has taken over the responsibility of notifying the nearest Civil Aeronautics Administration field office. This report should be submitted by the most expeditious means possible (priority telephone or telegraph message) at Government expense. If the accident involves

a private plane or non-scheduled air carrier, these circumstances should be reported, also whether the nearest office of the Civil Aeronautics Administration has been informed. In the latter case, the Department will ascertain from the Civil Aeronautics Board whether it desires to investigate the case, and inform the Foreign Service post accordingly. Consular posts should submit a similar report to their supervisory missions or to their supervisory consular offices in territories where there are no United States missions. Supplementary reports should be supplied the Department and the supervisory Foreign Service office whenever considered appropriate. A final report, after the urgency has diminished and when the post's role is negligible should cover the post's activities in connection with the accident (see § 134.16 (b)).

§ 134.9 *Arranging for entry and travel of investigating and airline representatives.* Representatives of the Civil Aeronautics Board, the Civil Aeronautics Administration and the United States airline involved may not have the documents necessary for entry into the country where the accident occurred. The local Foreign Service post should lend all assistance possible in obtaining the entry of such representatives into the country where the accident occurred and in expediting their travel to the scene of the accident.

§ 134.10 *Rendering assistance at the scene of the accident.* Always in the case of a scheduled United States air carrier and whenever necessary in the case of a non-scheduled carrier or private plane, a local Foreign Service post should dispatch a member of its staff to the scene of the accident in order to insure that proper protection is afforded United States citizens and property involved in the accident and that any evidence as to the cause of the accident is preserved until the arrival of United States Government investigating personnel. (For steps to be taken when the aircraft was carrying a courier or diplomatic pouches, see § 134.14 (b).) In the absence of an airline representative, the Foreign Service representative should lend the competent local authorities all possible assistance compatible with the provisions of § 134.11 in caring for the survivors, identifying and disposing of the remains of victims, salvaging and protecting property and preserving wreckage pending an investigation. If an airline representative is already at the scene of the accident or if one arrives shortly thereafter, the Foreign Service representative should assist him in the discharge of his recognized responsibilities in connection with passengers and cargo. However, the Foreign Service representative is also obligated to assist investigating personnel of the United States Government by preserving evidence as to the cause of the accident. Any attempt on the part of the airline representative to exceed his recognized sphere of activity should be called to the attention of the airline involved and the competent local authorities.

§ 134.11 *Arranging for the payment of expenses attendant upon an accident.* (a) The Department of State has no funds from which expenses attendant upon an accident to United States aircraft can be paid. In emergencies involving scheduled carriers and in the absence of airline representatives, or other authority, the Foreign Service post should request a deposit from the airline (through the Department if desired) with specific authorization to incur whatever financial obligations the airline is willing to assume for the hiring of guards (in case local police protection is considered inadequate), the provision of accommodations, medical care, and onward transportation for survivors and for other expenses resulting from the accident. In accidents involving a private plane or non-scheduled carrier, the Foreign Service post is not in a position to expend any funds without prior authorization from the Department. In such cases, and in extreme cases involving scheduled carriers, when airline and investigation personnel may be delayed in reaching the scene, the Foreign Service representative, as the representative of all segments of the United States Government in the area, should endeavor to protect and promote the interests of the Government, the airline, and the individual citizen by any means available to him that are consistent with these regulations, and should request funds and instructions as required from the Department.

(b) The local Foreign Service post is not authorized to expend any funds for guarding the wreckage to preserve evidence as to the cause of the accident unless the Civil Aeronautics Board or the Civil Aeronautics Administration authorizes in advance the expenditure of such funds on a reimbursable basis. In the absence of such advance authorization, the Foreign Service post can arrange only for such protection as local authorities are willing to furnish gratuitously.

(c) Voluntary services and personal services in excess of those authorized by law may be accepted and utilized in the case of an aircraft accident since the law which normally prohibits such acceptance (31 U. S. C. 665) does not apply "in case of sudden emergency involving the loss of human life or the destruction of property".

§ 134.12 *Protective services for survivors*—(a) *Medical care and hospitalization.* The Foreign Service representative should lend any assistance possible (see §§ 134.10 and 134.11) in arranging for the best medical and hospital attention available for injured survivors of the accident. If a scheduled United States carrier is involved in an accident, the primary responsibility for providing medical care for passengers and crew rests with the airline, and in such situations the Foreign Service representative should assist the airline in every way that is feasible (see §§ 134.10 and 134.11).

(b) *Accommodation and onward transportation.* If a scheduled United States carrier is involved in an accident, primary responsibility for providing accommodation and onward transportation for passengers and crew rests with the airline, and in such situations the Foreign Service representative should assist the airline in every way that is feasible (see §§ 134.10 and 134.11). If the accident involves a private plane or non-scheduled carrier, he should assist passengers and members of the crew who do not require hospitalization in any way compatible with §§ 134.10 and 134.11 in obtaining appropriate comfortable accommodations accessible from the scene of the accident. If practicable, surviving passengers should remain in the vicinity of the accident until the United States Government investigating personnel can obtain from them all information pertaining to the accident. Surviving passengers leaving the vicinity should furnish addresses at which they can be reached later. The Foreign Service representative should assist the passengers, in so far as he can under the provision of §§ 134.10 and 134.11, in obtaining necessary clearances from local authorities and in getting onward transportation by the most expeditious means of common carrier transportation available. The surviving aircraft crew will be expected to remain in the vicinity of the accident until otherwise instructed by the investigating personnel.

§ 134.13 *Protective services with respect to deceased victims of accident*—(a) *Interim disposition of remains.* Generally, local authorities will assume custody of the remains of deceased victims of the accident and consign them to a mortuary until final disposition can be made.

(b) *Identification of remains.* When necessary, the local Foreign Service post should assist in identifying the remains of United States citizens who are victims of the accident by requesting the Department to procure dental charts, passport application data and photographs, fingerprints, or other United States records.

(c) *Reports on deaths of United States citizens.* The local Foreign Service post shall report the deaths of United States citizens occurring in an aircraft accident in accordance with the procedure prescribed in §§ 120.1 to 120.8 of this chapter.

(d) *Disposition of remains.* When a scheduled United States air carrier meets with an accident, the United States airline concerned will usually transport the identifiable remains of victims of the accident to the place of final interment designated by the next of kin. If the Foreign Service post is requested, or finds it necessary, to dispose of identifiable remains, it shall follow the procedure prescribed in §§ 120.9 to 120.14 of this chapter. Where remains are unidentifiable, the local authorities may be expected to make final disposition of these remains locally in accordance with the health requirements of the country concerned, usually by common burial or by cremation, and without regard to the disposition desired by possible next of kin.

§ 134.14 *Salvage of mail and other property*—(a) *Mail.* Article 3, sections 6 and 7, of the Air Mail Provisions annexed to the Universal Postal Union Convention, Paris, 1947, provide that the personnel who survive the aircraft acci-

dent shall, when possible, deliver the mail to the post office nearest the place of the accident or to the one best-qualified to reforward the mail. If the aircraft personnel are unable to do this, the local post office concerned shall make every effort, without delay, to take delivery of the mail and to forward it to the offices of designation by the most rapid means, after determining the condition of the correspondence and reconditioning it if damaged. Most post offices are familiar with these provisions, but if in any case the mail is not being properly cared for, the local Foreign Service post should bring the proper procedure to the attention of the nearest post office.

(b) *Diplomatic pouches.* Immediately upon arriving at the scene of the accident, the Foreign Service representative should ascertain whether the aircraft was carrying a courier or diplomatic pouches. If a courier is found to be aboard, the same personal arrangements should be made for him as are made for other passengers (see §§ 134.10 to 134.13). An immediate search should also be made for whatever diplomatic pouches the courier may have been carrying and for any pouches that may have been carried as regular cargo. Usually, the cargo manifest will list diplomatic pouches carried as air freight or cargo. The passenger manifest normally will list the total number of pieces of luggage or pouches checked by a courier (if one is aboard), but since he usually carries his pouches with him into the cabin of the plane, the pouch invoices on his person or in his briefcase will offer positive proof of the number of pouches he has in his custody. If any are found, they should be cleared through appropriate government officials of the country and taken to the nearest United States Foreign Service office to await disposition instructions. If it is learned that the postal authorities have already recovered United States diplomatic pouches that may have been involved, these pouches should be obtained from the postal authorities and taken to the nearest United States Foreign Service office to await disposition instructions. A telegraphic message should be dispatched to the Department and to the regional courier office having jurisdiction over that area, giving a description of the pouches recovered. This description should include the office of addressor and addressee and the classification indicator (C, A, or S). The Department and the regional courier office will coordinate instructions to the office for the disposition of these pouches.

(c) *Baggage, personal effects and cargo.* The Foreign Service representative should request the local authorities to arrange for the security storage and protection of such baggage, personal effects and cargo as is recoverable from the aircraft until the property can be released to its owners by local customs and accident investigating authorities, or by the courts. When released, the personal effects of United States citizens, who died in the accident, should be taken into possession and disposed of by the local Foreign Service post in accordance with the procedure prescribed in §§ 120.15 to 120.55 of this chapter.

§ 134.15 *Protection and preservation of wreckage.* In so far as local law permits, the Foreign Service representative should see that arrangements are made (by the airline representative with the local authorities, if a scheduled carrier is involved) for the protection of the wrecked aircraft and its property contents against further damage, pilferage, and access by unauthorized persons, until the arrival of the accident investigation personnel. The prior removal of any of the wreckage or the contents of the aircraft should be prevented unless such action is necessitated by very compelling reasons, such as the need for treating the injured or for removing bodies, or when the wreckage constitutes a public hazard. When under the latter conditions the wreckage and contents of the aircraft must be moved or disturbed in any way, if possible, a record should be made or photographs taken showing the position and condition of the wreckage prior to disturbance. In the case of a private aircraft or non-scheduled carrier, protection should be arranged for the wrecked aircraft and its contents pending the receipt of information from the Department as to whether the Civil Aeronautics Board will investigate the case, and until final disposition is made of the property. If the owner of a private aircraft is killed in the wreck and is a United States citizen, the aircraft constitutes part of his personal estate and should be disposed of in accordance with the provisions of §§ 120.15 to 120.55 of this chapter. For rules governing the payment of expenses in connection with the protection and preservation of wrecked United States aircraft, see § 134.11.

§ 134.16 *Records and reports in connection with investigation*—(a) *Records.* The Foreign Service representative should maintain a record of the various transactions taking place prior to the arrival of airline, Civil Aeronautics Board and Civil Aeronautics Administration representatives. This record should include all pertinent details with respect to the disposition of persons and property, obligations assumed, arrangements made, et cetera, and should also include any statements made by witnesses.

(b) *Reports.* Reports should be submitted to the Department for its information and the information of aviation authorities and other interested parties in the United States regarding the progress of any investigation which is held and its final outcome when known.

FOREIGN AIRCRAFT ACCIDENTS INVOLVING UNITED STATES PERSONS OR PROPERTY

§ 134.17 *Reports on accident.* When an accident occurs to a foreign aircraft in the district of a Foreign Service post and United States citizens or property are involved, the local Foreign Service post shall report the disaster fully to the Department and to the supervisory mission (or the supervisory consular office where there is no mission).

§ 134.18 *Protection of United States citizens involved.* The local Foreign Service post shall follow substantially the procedures prescribed in §§ 134.11 to 134.13 in protecting United States citizens (whether alive or dead) involved in a foreign aircraft accident.

§ 134.19 *Protection of United States property.* The local Foreign Service office shall follow substantially the procedures set forth in §§ 134.11 and 134.14 in protecting United States mail and baggage, personal effects and cargo belonging to United States citizens.

These regulations shall become effective October 1, 1952.

Issued: September 5, 1952.

J. PAUL BARRINGER,
Director, Office of Transport and Communications Policy.

[F. R. Doc. 52-9937; Filed, Sept. 11, 1952; 8:46 a. m.]

TITLE 29—LABOR

Chapter V—Wage and Hour Division, Department of Labor

PART 708—RUBBER, STRAW, HAIR AND RELATED PRODUCTS INDUSTRY IN PUERTO RICO

MINIMUM WAGE ORDER

Pursuant to the Administrative Procedure Act (60 Stat. 237; 5 U. S. C. 1001), notice was published in the FEDERAL REGISTER July 9, 1952 (17 F. R. 6164–6165) of my decision to approve the minimum wage recommendation of Special Industry Committee No. 11 for the rubber products division of the rubber, straw, hair and related products industry in Puerto Rico, and the revised wage order for that industry which I propose to issue to carry such recommendation into effect was published therewith. The notice also recited my intention to disapprove the recommendation of the Committee for the straw, hair and related products division of the industry. Interested parties were given an opportunity to submit exceptions within 15 days from the date of publication of notice.

No exceptions have been received within the 15 day period.

Accordingly, pursuant to authority under the Fair Labor Standards Act, as amended (52 Stat. 1060, as amended; 29 U. S. C. 201), the said decision is hereby affirmed and made final and the wage order for the rubber products division of the rubber, straw, hair and related products industry is hereby issued to become effective October 13, 1952.

Sec.
708.1 Wage rate.
708.2 Notices of order.
708.3 Definitions of the rubber, straw, hair and related products industry in Puerto Rico and its divisions.

AUTHORITY: §§ 708.1 to 708.3 issued under sec. 8, 63 Stat. 915; 29 U. S. C. 208. Interpret or apply sec. 5, 63 Stat. 911; 29 U. S. C. 205.

§ 708.1 *Wage rate.* (a) Wages at a rate of not less than 60 cents per hour shall be paid under section 6 of the Fair Labor Standards Act of 1938, as amended, by every employer to each of his employees in the rubber products

division of the rubber, straw, hair and related products industry in Puerto Rico who is engaged in commerce or in the production of goods for commerce.

NOTE: Activities included within the straw, hair and related products division, as defined in § 708.3 (b), are and will, until further order of the Administrator, remain subject to the applicable wage rates provided in the wage order contained in Part 674 of this chapter.

§ 708.2 *Notices of order.* Every employer employing any employee so engaged in commerce or in the production of goods for commerce in the rubber, straw, hair and related products industry in Puerto Rico shall post and keep posted in a conspicuous place in each department of his establishment where such employees are working such notices of this order as shall be prescribed from time to time by the Wage and Hour Division of the United States Department of Labor and shall give such other notice as the Division may prescribe.

§ 708.3 *Definitions of the rubber, straw, hair and related products industry in Puerto Rico and its divisions.* (a) The rubber, straw, hair and related products industry in Puerto Rico to which this part shall apply is hereby defined as follows: The manufacture of all products made wholly or chiefly of rubber, and the manufacture of all products (except hand-made or hand-woven) made wholly or chiefly of straw, raffia, sisal, maguey, palm leaves, rushes, grasses, hair, hair bristles, feathers and similar materials: *Provided, however,* That this definition shall not include any product or activity included in the definition of the handicraft products industry, the needlework and fabricated textile products industry, the men's and boy's clothing and related products industry, the textile and textile products industry, the button, buckle, and jewelry industry, the decorations and party favors industry, the artificial flower industry, or the shoe manufacturing and allied industries, as defined in the wage order for those industries in Puerto Rico.

(b) The separable divisions of the industry, as defined in paragraph (a) of this section, to which this part and its several provisions shall apply are hereby defined as follows:

(1) *Rubber products division.* This division shall consist of the manufacture of all products made wholly or chiefly from rubber.

(2) *Straw, hair and related products division.* This division consists of the manufacture of all products (except hand-made or hand-woven) made wholly or chiefly of straw, raffia, sisal, maguey, palm leaves, rushes, grasses, hair, hair bristles, feathers and similar materials.

Signed at Washington, D. C., this 8th day of September 1952.

F. GRANVILLE GRIMES, JR.,
Acting Administrator, Wage and Hour Division, United States Department of Labor.

[F. R. Doc. 52-9986; Filed, Sept. 11, 1952; 8:52 a. m.]

TITLE 32—NATIONAL DEFENSE

Chapter VI—Department of the Navy

Subchapter D—Procurement, Property, Patents, and Contracts

PART 742—ACQUISITION OF REAL ESTATE

REIMBURSEMENT TO OWNERS AND TENANTS OF LAND ACQUIRED BY DEPARTMENT OF THE NAVY

Sec.
742.1 Statutory provisions.
742.2 Definitions of terms as used in this part.
742.3 Scope.
742.4 Delegation.
742.5 Filing of application.
742.6 Limitation of amount of payment.
742.7 Conditions of reimbursement.
742.8 Payment.

AUTHORITY: §§ 742.1 to 742.8 issued under Pub. Law 155, 82d Cong.

SOURCE: Regs., 18 January 1952, Secretary of the Navy.

§ 742.1 *Statutory provisions.* The Secretary of the Navy is authorized, to the extent he determines to be fair and reasonable, to reimburse owners and tenants of land acquired by the Department of the Navy pursuant to the provisions of Public Law 155, 82d Congress, for expenses and other losses and damages incurred by such owners and tenants, respectively, in the process and as a direct result of the moving of themselves and their families and possessions because of such acquisition of land, which reimbursement shall be in addition to, but not in duplication of, any payments in respect of such acquistion as may otherwise be authorized by law: *Provided,* That the total of such reimbursement to the owners and tenants of any parcel of land shall in no event exceed 25 per centum of the fair value of such parcel of land as determined by the Secretary of the Navy. No payment or reimbursement shall be made unless application therefor, supported by an itemized statement of the expenses, losses and damages so incurred shall have been submitted to the Secretary of the Navy within one year following the date of such vacating (sec. 501 (b), Pub. Law 155, 82d Cong.).

§ 742.2 *Definitions of terms as used in this part.* (a) *The act.* Public Law 155, 82d Congress, approved September 28, 1951.

(b) *Owner.* Any owner of land, who moves himself, his family, or his possessions because of acquisition of his land pursuant to the act.

(c) *Tenant.* One who under proper authority uses or occupies land and who moves himself, his family, or his possessions because of acquisition of such land pursuant to the act.

(d) *Acquisition pursuant to the act.* Acquisition by the Department of the Navy of any interest in land for any project authorized by the act.

(e) *Date of vacating.* The date the owner or tenant moves himself, his family and his possessions.

(f) *Fair value.* The value of the land as determined in accordance with Department of the Navy appraisal procedure.

§ 742.3 *Scope.* Pursuant to the provisions of the act, reimbursement may only be made to the extent determined fair and reasonable for items of expense and other losses and damages incurred by owners or tenants in the process and as a direct result of the moving of themselves and their families and possessions. The types of reimbursable items and non-reimbursable items described in this section are not intended to be exclusive.

(a) *Types of reimbursable items.* (1) Moving expenses, such as costs of transportation, insurance, crating and uncrating.

(2) Temporary storage expenses.

(3) Expenditures for obtaining new site or land such as cost of appraisals, surveys, and title searches, where such expenses are normally borne by the purchaser. This does not include any part of the purchase price for the new site or any expenditures for the purpose of adding to the value or utility of the new site.

(b) *Types of non-reimbursable items.* (1) Costs of conveying property to the Government.

(2) Consequential damages or losses, such as loss of good will, loss of profits, loss of trained employees, or expenses of sales and losses because of such sales.

§ 742.4 *Delegation.* Authority is delegated to the Chief of the Bureau of Yards and Docks, Department of the Navy, and such of his officers or employees in the Bureau of Yards and Docks, as he may designate and are approved by the Secretary of the Navy to perform all functions and make all determinations which are authorized to be performed by the Secretary of the Navy with respect to reimbursement under the provisions of section 501 (b) of the act.

§ 742.5 *Filing of application.* All applications for reimbursement will be filed with the appropriate District Public Works Officer for forwarding to the Chief of the Bureau of Yards and Docks for final action. Such applications must be delivered to or mailed to such District Public Works Officer within one year from the date of vacating and must be supported by an itemized statement of the expenses, and the losses and damages incurred and for which reimbursement is requested.

§ 742.6 *Limitation of amount of payment.* The act provides that the total amount of reimbursement to all owners and tenants of any parcel of land shall not exceed 25 percent of the fair value of such parcel of land. In the event that the approved amount of reimbursement for all owners and tenants exceeds 25 percent of the fair value of the land, each applicant will receive the same proportion of the 25 percent of the fair value as the approved amount for each application is of the total amount approved for all applications.

§ 742.7 *Conditions of reimbursement.* In determining whether reimbursement will be made and the extent and amount thereof, consideration will be given to the following:

(a) Reimbursement shall not be made unless and until reasonable proof of the expenses or other losses and damages incurred, in the form of receipts therefor or the next best evidence thereof when receipts are not available, have been submitted.

(b) Reimbursement shall not be made to the extent the applicant's negligence, or wrongful act has contributed to the amount of the expenses, losses or damages.

(c) Reimbursement shall not be made for any expenses, losses or damages which were allowed in establishing the compensation paid or to be paid for the interest acquired in the land.

§ 742.8 *Payment.* Appropriate action will be taken to accomplish payment in accordance with prescribed procedure and regulations. Reimbursement will be made from funds appropriated to the Department of the Navy pursuant to the act, to the extent available.

NOTE: The regulations contained in §§ 742.1 to 742.8 were approved by the Acting Secretary of Defense on Feb. 19, 1952.

DAN A. KIMBALL,
Secretary of the Navy.

SEPTEMBER 3, 1952.

[F. R. Doc. 52-9955; Filed, Sept. 11, 1952; 8:46 a. m.]

TITLE 32A—NATIONAL DEFENSE, APPENDIX

Chapter III—Office of Price Stabilization, Economic Stabilization Agency

[Ceiling Price Regulation 24, Amdt. 18]

CPR 24—CEILING PRICES OF BEEF SOLD AT WHOLESALE

EXPORTS OF BEEF

Pursuant to the Defense Production Act of 1950, as amended, Executive Order 10161, Economic Stabilization Agency General Order 2, Delegation of Authority by the Secretary of Agriculture with respect to meat, as amended, and Economic Stabilization Agency General Order 5, Revision, this Amendment 18 to Ceiling Price Regulation 24 is hereby issued.

STATEMENT OF CONSIDERATIONS

This amendment to Ceiling Price Regulation 24 transfers the control of exports of beef products from CPR 24 to Ceiling Price Regulation 61.

On the basis of the experience gained since the issuance of CPR 24, it now appears that the provisions of section 7 (b) of CPR 24 for exported beef products do not provide for all the costs that are normally incurred in exporting. CPR 61 does provide for such costs. In addition, CPR 61, which permits a percentage export mark-up based on actual experience in its prescribed base period, is more appropriate for pricing this commodity in the export market. It is for these reasons that control of ceiling prices of export sales and sales for export are transferred to CPR 61. The other provisions of CPR 24, for example, the grading and cutting requirements, continue to apply to export sales and sales for export of beef products.

In formulating this amendment, the Director of Price Stabilization has consulted, so far as practicable, with industry representatives, including trade association representatives, and has given full consideration to their recommendations. In his judgment the provisions are generally fair and equitable, are necessary to effectuate the purposes of Title IV of the Defense Production Act of 1950, as amended, and comply with all the applicable standards of the Act.

All standards prescribed in this amendment were, prior to the issuance of Ceiling Price Regulation 24, in general use in the meat industry. Such standards as are prescribed are indispensable to price control of beef, since no practicable alternative to such standardization exists for securing effective price control of this commodity. It is not believed that this amendment will cause any substantial changes in business practices; cost practices or methods, or means or aids to distribution; however, to the extent that such changes may be compelled, they are necessary to prevent circumvention or evasion of Ceiling Price Regulation 24, as amended.

AMENDATORY PROVISIONS

Ceiling Price Regulation 24 is amended in the following respects:

1. Section 7 (b) is deleted and a new section 7 (b) is added, to read as follows:

(b) *Exports sales and sales for export.* You shall compute your ceiling prices for export sales and sales for export (as those terms are defined in Ceiling Price Regulation 61) of any beef product under the appropriate provisions of CPR 61. These ceiling prices are your ceiling prices under this regulation, for these sales in lieu of any ceiling prices otherwise established by this regulation. All other provisions of this regulation continue to apply to these sales.

(Sec. 704, 64 Stat. 816, as amended, 50 U. S. C. App. Sup. 2154)

Effective date. This amendment shall become effective September 16, 1952.

TIGHE E. WOODS,
Director of Price Stabilization.

SEPTEMBER 11, 1952.

[F. R. Doc. 52-10066; Filed, Sept. 11, 1952; 4:00 p. m.]

[Ceiling Price Regulation 74, Amdt. 12]

CPR 74—CEILING PRICES OF PORK SOLD AT WHOLESALE

EXPORTS OF PORK

Pursuant to the Defense Production Act of 1950, as amended, Executive Order 10161, Economic Stabilization Agency General Order 2, Delegation of Authority by the Secretary of Agriculture to the Economic Stabilization Agency with respect to meat, as amended, and Economic Stabilization Agency General Order 5, Revision, this Amendment 12 to Ceiling Price Regulation 74 is hereby issued.

STATEMENT OF CONSIDERATIONS

This amendment to Ceiling Price Regulation 74 transfers the control of exports of pork from CPR 74 to Ceiling Price Regulation 61.

On the basis of the experience gained since the issuance of CPR 74 it now appears that the provisions of section 8 of CPR 74 for exported pork do not provide for all the costs that are normally incurred in exporting. CPR 61 does provide for such costs. In addition, CPR 61, which permits a percentage export mark-up based on actual experience in its prescribed base period is more appropriate for pricing this commodity in the export market. It is for these reasons that control of ceiling prices of export sales and sales for export are transferred to CPR 61. The other provisions of CPR 74, for example, the cutting requirements, continue to apply to export sales and sales for export of pork.

In formulating this amendment, the Director of Price Stabilization has consulted so far as practicable with industry representatives, including trade association representatives, and has given full consideration to their recommendations. In his judgment the provisions of this regulation are generally fair and equitable, are necessary to effectuate the purposes of Title IV of the Defense Production Act of 1950, as amended, and comply with all the applicable standards of the Act.

All standards prescribed in this amendment were, prior to the issuance of Ceiling Price Regulation 74, in general use in the meat industry. Such standards as are prescribed are indispensable to price control of pork, since no practicable alternative to such standardization exists for securing effective price control of this commodity. It is not believed that this amendment will cause any substantial changes in business practices, cost practices or methods, or means or aids to distribution; however, to the extent that such changes may be compelled, they are necessary to prevent circumvention or evasion of Ceiling Price Regulation 74, as amended.

AMENDATORY PROVISIONS

Ceiling Price Regulation 74 is amended in the following respects:

1. Section 8 is deleted and a new section 8 is added to read as follows:

SEC. 8. *Export sales and sales for export.* You shall compute your ceiling prices for export sales and sales for export (as those terms are defined in Ceiling Price Regulation 61) of any pork under the appropriate provisions of CPR 61. These ceiling prices are your ceiling prices under this regulation for these sales in lieu of any ceiling prices otherwise established by this regulation. All other provisions of this regulation continue to apply to these sales.

(Sec. 704, 64 Stat. 816, as amended, 50 U. S. C. App. Sup. 2154)

Effective date. This amendment shall become effective September 16, 1952.

TIGHE E. WOODS,
Director of Price Stabilization.

SEPTEMBER 11, 1952.

[F. R. Doc. 52-10065; Filed, Sept. 11, 1952; 4:00 p. m.]

[Ceiling Price Regulation 92, Amdt. 9]

CPR 92—Ceiling Prices of Lamb, Yearling, and Mutton Products Sold at Wholesale

Exports of Lamb, Yearling, and Mutton Products

Pursuant to the Defense Production Act of 1950, as amended, Executive Order 10161, Economic Stabilization Agency General Order 2, Delegation of Authority by the Secretary of Agriculture to the Economic Stabilization Agency with respect to meat, as amended, and Economic Stabilization Agency General Order 5, Revision, this Amendment 9 to Ceiling Price Regulation 92 is hereby issued.

Statement of Considerations

This amendment to Ceiling Price Regulation 92 transfers the control of exports of lamb, yearling, and mutton products from CPR 92 to Ceiling Price Regulation 61.

On the basis of the experience gained since the issuance of CPR 92 it now appears that the provisions of section 7 (b) of CPR 92 for exported lamb, yearling, and mutton products do not provide for all the costs that are normally incurred in exporting. CPR 61 does provide for such costs. In addition, CPR 61, which permits a percentage export mark-up based on actual experience in its prescribed base period is more appropriate for pricing this commodity in the export market. It is for these reasons that control of ceiling prices of export sales and sales for export are transferred to CPR 61. The other provisions of CPR 92, for example, the grading and cutting requirements, continue to apply to export sales and sales for export of lamb, yearling, and mutton products.

In formulating this amendment, the Director of Price Stabilization has consulted so far as practicable with industry representatives, including trade association representatives, and has given full consideration to their recommendations. In his judgment the provisions of this regulation are generally fair and equitable, are necessary to effectuate the purposes of Title IV of the Defense Production Act of 1950, as amended, and comply with all the applicable standards of the Act.

All standards prescribed in this amendment were, prior to the issuance of Ceiling Price Regulation 92, in general use in the meat industry. Such standards as are prescribed are indispensable to price control of lamb, yearling, and mutton products, since no practicable alternative to such standardization exists for securing effective price control of this commodity. It is not believed that this amendment will cause any substantial changes in business practices, cost practices or methods, or means or aids to distribution; however, to the extent that such changes may be compelled, they are necessary to prevent circumvention or evasion of Ceiling Price Regulation 92, as amended.

Amendatory Provisions

Ceiling Price Regulation 92 is amended in the following respects:

1. Section 7 (b) is deleted and a new section 7 (b) is added to read as follows:

(b) *Export sales and sales for export.* You shall compute your ceiling prices for export sales and sales for export (as those terms are defined in Ceiling Price Regulation 61) of any lamb, yearling, or mutton products under the appropriate provisions of CPR 61. These ceiling prices are your ceiling prices under this regulation, CPR 92, for these sales in lieu of any ceiling prices otherwise established by this regulation. All other provisions of this regulation continue to apply to these sales.

(Sec. 704, 64 Stat. 816, as amended; 50 U. S. C. App. Sup. 2154)

Effective date. This amendment shall become effective September 16, 1952.

Tighe E. Woods,
Director of Price Stabilization.

September 11, 1952.

[F. R. Doc. 52-10064; Filed, Sept. 11, 1952; 4:00 p. m.]

[Ceiling Price Regulation 101, Amdt. 8]

CPR 101—Ceiling Prices of Veal Sold at Wholesale

Exports of Veal

Pursuant to the Defense Production Act of 1950, as amended, Executive Order 10161, Economic Stabilization Agency General Order 2, Delegation of Authority by the Secretary of Agriculture to the Economic Stabilization Agency with respect to meat, as amended, and Economic Stabilization Agency General Order 5, Revision, this Amendment 8 to Ceiling Price Regulation 101 is hereby issued.

Statement of Considerations

This amendment to Ceiling Price Regulation 101 transfers the control of exports of veal from CPR 101 to Ceiling Price Regulation 61.

On the basis of the experience gained since the issuance of CPR 101 it now appears that the provisions of section 8 (b) of CPR 101 for exported veal do not provide for all the costs that are normally incurred in exporting. CPR 61 does provide for such costs. In addition, CPR 61, which permits a percentage export mark-up based on actual experience in its prescribed base period is more appropriate for pricing this commodity in the export market. It is for these reasons that control of ceiling prices of export sales and sales for export are transferred to CPR 61. The other provisions of CPR 101, for example, the grading and cutting requirements, continue to apply to export sales and sales for export of veal.

In formulating this amendment, the Director of Price Stabilization has consulted so far as practicable with industry representatives, including trade association representatives, and has given full consideration to their recommendations. In his judgment the provisions of this regulation are generally fair and equitable, are necessary to effectuate the purposes of Title IV of the Defense Production Act of 1950, as amended, and comply with all the applicable standards of the Act.

All standards prescribed in this amendment were, prior to the issuance of Ceiling Price Regulation 101, in general use in the meat industry. Such standards as are prescribed are indispensable to price control of veal, since no practicable alternative to such standardization exists for securing effective price control of this commodity. It is not believed that this amendment will cause any substantial changes in business practices, cost practices or methods, or means or aids to distribution; however, to the extent that such changes may be compelled, they are necessary to prevent circumvention or evasion of Ceiling Price Regulation 101, as amended.

Amendatory Provisions

Ceiling Price Regulation 101 is amended in the following respects:

1. Section 8 (b) is deleted and a new section 8 (b) is added to read as follows:

(b) *Export sales and sales for export.* You shall compute your ceiling prices for export sales and sales for export (as those terms are defined in Ceiling Price Regulation 61) of any veal under the appropriate provisions of CPR 61. These ceiling prices are your ceiling prices under this regulation, for these sales in lieu of any ceiling prices otherwise established by this regulation. All other provisions of this regulation continue to apply to these sales.

2. Section 10 (c) is deleted and section 10 (d) is redesignated 10 (c).

3. Section 13 (e) is deleted and section 13 (f) is redesignated 13 (e).

(Sec. 704, 64 Stat. 816, as amended, 50 U. S. C. App. Sup. 2154)

Effective date. This amendment shall become effective September 16, 1952.

Tighe E. Woods,
Director of Price Stabilization.

September 11, 1952.

[F. R. Doc. 52-10063; Filed, Sept. 11, 1952; 4:00 p. m.]

[General Ceiling Price Regulation, Revised Supplementary Regulation 34, Amdt. 2]

GCPR, SR 34—Adjustment of Ceiling Prices of Manufacturers and Distributors of Fresh and Semi-Dry Sausage Made in Whole or in Part From Beef or Stuffed in Sheep Casings

Export Sales of Fresh and Semi-Dry Sausage Made in Whole or Part From Beef or Stuffed in Sheep Casings

Pursuant to the Defense Production Act of 1950, as amended, Executive Order 10161, Economic Stabilization Agency General Order 2, Delegation of Authority by the Secretary of Agriculture with respect to meat, as amended, and Economic Stabilization Agency General Order 5, Revision, this Amendment 2 to Supplementary Regulation 34, Revised, to the General Ceiling Price Regulation, is hereby issued.

Statement of Considerations

This amendment to Supplementary Regulation 34, Revised, transfers the

control of exports of sausage from SR 34, Revised, to Ceiling Price Regulation 61.

On the basis of the experience gained since the issuance of SR 34, Revised, it now appears that the provisions of section 8 of SR 34, Revised, for exported sausage do not provide for all the costs that are normally incurred in exporting. CPR 61 does provide for such costs. In addition, CPR 61, which permits a percentage export mark-up based on actual experience in its prescribed base period, is more appropriate for pricing this commodity in the export market. It is for these reasons that control of ceiling prices of export sales and sales for export are transferred to CPR 61. The other provisions of SR 34, Revised, continue to apply to export sales and sales for export of sausage.

In formulating this amendment, the Director of Price Stabilization has consulted, so far as practicable, with industry representatives, including trade association representatives, and has given full consideration to their recommendations. In his judgment the provisions are generally fair and equitable, are necessary to effectuate the purposes of Title IV of the Defense Production Act of 1950, as amended, and comply with all the applicable standards of the Act.

All standards prescribed in this amendment were, prior to the issuance of SR 34, Revised, in general use in the meat industry. Such standards as are prescribed are indispensable to price control of sausage, since no practicable alternative to such standardization exists for securing effective price control of this commodity. It is not believed that this amendment will cause any substantial changes in business practices; cost practices or methods, or means or aids to distribution; however, to the extent that such changes may be compelled, they are necessary to prevent circumvention or evasion of Supplementary Regulation 34, Revised, to the General Ceiling Price Regulation, as amended.

AMENDATORY PROVISIONS

SR 34, Revised, is amended in the following respects:

1. Section 8 is deleted and a new section 8 is added to read as follows:

SEC. 8. *Exports sales and sales for export.* You shall compute your ceiling prices for export sales and sales for export (as those terms are defined in Ceiling Price Regulation 61) of any sausage under the appropriate provisions of CPR 61. These ceiling prices are your ceiling prices under this regulation for these sales in lieu of any ceiling prices otherwise established by this regulation. All other provisions of this regulation continue to apply to these sales.

(Sec. 704, 64 Stat. 816, as amended, 50 U. S. C. App. Sup. 2154)

Effective date. This amendment shall become effective September 16, 1952.

TIGHE E. WOODS,
Director of Price Stabilization.

SEPTEMBER 11, 1952.

[F. R. Doc. 52-10062; Filed, Sept. 11, 1952; 4:00 p. m.]

[General Overriding Regulation 6, Amdt. 6]

GOR 6—EXEMPTIONS RELATING TO SPECIFIED NONPROFIT ORGANIZATIONS

SALES BY SOCIETY OF ST. VINCENT DE PAUL AND SALES OF INDEPENDENT ORDER OF ODD FELLOWS SUPPLIES

Pursuant to the Defense Production Act of 1950, as amended, Executive Order 10161, and Economic Stabilization Agency General Order No. 2, this Amendment 6 to General Overriding Regulation is hereby issued.

STATEMENT OF CONSIDERATIONS

This amendment to General Overriding Regulation 6 adds certain merchandise sales to those exempted by the regulation from any price regulations issued by the Office of Price Stabilization. The sales here exempted are sales of used and waste goods by the Society of St. Vincent de Paul and of the official supplies of the Independent Order of Odd Fellows when sold by that organization through its Sovereign Grand Lodge, Grand Bodies, Grand Lodges, Grand Encampments, Rebekah Assemblies, Department Councils and subordinate bodies.

The Society of St. Vincent de Paul is a religious and charitable nonprofit organization which, in the furtherance of a rehabilitation program accepts donations of merchandise from the public. The merchandise is either given away to needy persons or is sold at low prices. Waste materials are also sold to dealers at prevailing prices. The proceeds from all sales are used to assist the poor.

The Independent Order of Odd Fellows and its affiliated bodies are nonprofit organizations which as one of their activities sell official regalia and other supplies to the various constituent organizations and their members. The articles sold, the quality of the merchandise, the manner of distribution and the price at which they are sold are strictly controlled by the governing body of the organization, The Sovereign Grand Lodge of the Independent Order of Odd Fellows. Any income received in excess of the actual cost of official supplies is used to defray the administrative, fraternal, charitable and educational expenses of the organization.

Generally, the considerations stated in support of General Overriding Regulation 6 and the amendments thereto are likewise applicable to the sales here referred to. In the judgment of the Director of Price Stabilization the exemptions provided for by this amendment will not impair the carrying out of the Defense Production Act of 1950, as amended, and it is accordingly not necessary for ceilings to be applied to these sales.

To the extent practicable under the circumstances, the Director has consulted with persons involved prior to the issuance of this amendment and has given consideration to their recommendations.

AMENDATORY PROVISIONS

General Overriding Regulation 6 is amended in the following respects: By adding the following new sections numbered 9 and 10.

SEC. 9. *Sales by the Society of St. Vincent de Paul.* No price regulation issued by the Office of Price Stabilization applies to sales by the Society of St. Vincent de Paul of used and waste goods donated by members of the public to that organization and sold in the condition received or as reconditioned by the organization.

SEC. 10. *Sales of Independent Order of Odd Fellows supplies.* No price regulation issued by the Office of Price Stabilization applies to sales by the Independent Order of Odd Fellows, comprising the Sovereign Grand Lodge, Grand Bodies, Grand Lodges, Grand Encampments, Rebekah Assemblies, Department Councils and subordinate bodies, of the official regalia, supplies and of articles bearing the official emblem, motto or other distinguishing mark of these organizations.

(Sec. 704, 64 Stat. 816, as amended; 50 U. S. C. App. Sup. 2154)

Effective date. This amendment to General Overriding Regulation 6 is effective September 11, 1952.

TIGHE E. WOODS,
Director of Price Stabilization.

SEPTEMBER 11, 1952.

[F. R. Doc. 52-10061; Filed, Sept. 11, 1952; 11:41 a. m]

TITLE 47—TELECOMMUNICATION

Chapter I—Federal Communications Commission

[Docket No. 10229]

PART 1—PRACTICE AND PROCEDURE

PART 31—UNIFORM SYSTEM OF ACCOUNTS, CLASS A AND B TELEPHONE COMPANIES

MISCELLANEOUS AMENDMENTS

In the matter of amendment of Part 31 (Uniform System of Accounts for Class A and Class B Telephone Companies) and Appendix B thereof, of the Commission's rules and regulations and related amendment of Part 1 (rules relating to Practice and Procedure); Docket No. 10229.

At a session of the Federal Communications Commission held at its offices in Washington, D. C., on the 3d day of September, 1952;

The Commission having under consideration the amendment of Part 31 (Uniform System of Accounts for Class A and Class B Telephone Companies) and Appendix B thereof, of its rules and regulations and the related amendment of Part 1 (rules relating to Practice and Procedure);

It appearing, that on July 26, 1952, the Commission published in the FEDERAL REGISTER (17 F. R. 6266) a notice of proposed rule making, in accordance with section 4 (a) of the Administrative Procedure Act, which notice set forth certain revisions of Part 31 and Appendix B thereof and of Part 1 with respect to continuing property records to be maintained by Class A and Class B Telephone Companies, and that the period in which interested parties were afforded an opportunity to submit comments expired

on August 11, 1952, that only the United States Independent Telephone Association submitted comments during that period and that the aforementioned comments were in favor of adopting the amendments as proposed; and

It further appearing, that the period for filing comments or briefs in reply to the original comments or briefs expired on September 2, 1952, and that no comments or briefs were filed in reply to the comments of the United States Independent Telephone Association; and

It further appearing, that a few minor editorial changes have been made in the rule amendment herein ordered that were not set forth in the notice of proposed rule making; and

It further appearing, that the aforesaid changes are not substantive but consist of improvements in the language and punctuation of the rule, and, accordingly, compliance with the requirements of section 4 of the Administrative Procedure Act is not necessary; and

It further appearing, that authority for the promulgation of these amendments is contained in sections 4 (i) and 220 of the Communications Act of 1934, as amended; and

It further appearing, that under section 220 (g) of the Communications Act of 1934, as amended, notice of alterations by the Commission in the required manner or form of keeping accounts shall be given by the Commission at least six months before the same are to take effect;

It is ordered, That effective six months after the date of this order, Part 31 and Appendix B thereof and Part 1 of the Commission's rules and regulations are amended as set forth below: *Provided, however*, That any company may follow the regulations and practices set forth in such amendments as of January 1, 1953.

(Sec. 4, 48 Stat. 1066, as amended; 47 U. S. C. 154. Interprets or applies Sec. 220, 48 Stat. 1078; 47 U. S. C. 220)

Released: September 4, 1952.

FEDERAL COMMUNICATIONS COMMISSION,
[SEAL] T. J. SLOWIE,
Secretary.

1. Delete §§ 31.2–24, 31.2–25 and 31.2–26 and substitute the following:

§ 31.2–24 *Retirement units.* The "retirement units" (note also § 31.2–25 (b) (1)) are listed in § 31.8. Additions to or revisions of that list will be issued, when necessary, by the Commission, to which any applications for such additions or revisions shall be presented by the company. (See also paragraph 2 of Appendix B of this part.)

§ 31.2–25 *Telephone plant retired.* (a) To the end that the telephone plant accounts (note §§ 31.2–20, 31.2–21) shall at all times disclose the original cost (note § 31.01–3 (x)) of all property in service, the original cost of retired property, whether replaced or not (except as provided in paragraph (b) (2) of this section), shall be credited to the account or accounts in this classification to which such cost was charged. Every company shall, therefore, take such measures and establish such procedure as will insure strict compliance with these requirements. When any item of property subject to plant retirement accounting is worn out, lost, sold, destroyed, abandoned, surrendered upon lapse of title, becomes permanently unserviceable, is withdrawn, or for any other reason is retired from service, the amount in the plant accounts applicable to that item shall be credited to the appropriate plant accounts, and the retirement entry shall refer to the source (or to the supporting records showing the source) in the continuing property record from which the cost was obtained. (Note also paragraph (e) of this section.)

(b) Depreciable telephone plant: For the purpose of avoiding undue refinement in accounting for the replacement of small items of property, the accounting for retirements and replacements of depreciable telephone plant shall be as follows:

(1) Retirement units: This group includes major items of property, a list of which is shown in § 31.8. The original cost of any such item retired shall be credited to the plant account and charged to account 171, "Depreciation reserve," whether or not replaced. (Note also paragraph (b) of account 171.) The original cost of property installed in place of the property retired shall be charged to the appropriate telephone plant account.

(2) Minor items: This group includes any part or element which is not designated as a retirement unit. The original cost of any minor item of property retired and not replaced shall be credited to the plant account and charged to account 171 (note also paragraph (b) of the text of that account), except that if the original cost of a minor item of property is included in the specific or average cost for a retirement unit of which the minor item is a part, no separate credit to the telephone plant account is required when such a minor item is retired. Except as provided in the note under account 231, "Station apparatus," in § 31.8, if minor items of property are replaced (apart from the retirement unit of which they form a part or with which they are associated) no adjustment shall be made in account 171. The cost of the replacement shall be charged to the account appropriate for the cost of repairs of the property, except that if the replacement effects a substantial betterment (the primary aim of which is to make the property affected more useful, of greater durability, of greater capacity, or more economical in operation) the excess cost of (i) such a replacement over (ii) the estimated cost at the then current prices of replacing without betterment the minor items being retired, shall be charged to the appropriate telephone plant account.

(c) Station installations, drop and block wires: When stations are removed from customers' premises, the original cost of the station installations carried in account 232, "Station installations," and of any drop and block wires carried in account 233, "Drop and block wires," thereby retired from service shall be credited to the plant accounts and charged to account 607, "Station removals and changes." The latter account shall be credited with the salvage value (note § 31.01–3 (bb)) of such property recovered. The cost of the removal of the station apparatus, inside, drop and block wires shall be charged to account 607.

(d) Land: The original cost of land retired shall be credited to account 211, "Land." If the land is sold, the difference between such original cost and the sale price (less commissions and other expenses of making the sale) of the land shall be credited to account 401, "Credits for telephone plant sold," or debited to account 410, "Debits for telephone plant sold," as may be appropriate. If the land is retained by the company and held for sale, its cost shall be charged to account 103, "Miscellaneous physical property." The accounting for leaseholds retired shall be as provided for in the texts of account 172, "Amortization reserve," and account 613, "Amortization of intangible property."

(e) Determination of the cost of property to be retired: The cost of telephone plant retired shall be the amount at which such property is included in the telephone plant accounts. When it is impracticable to determine the cost of each item due to the relatively large number or small cost of such items, the average cost of all the items covered by an appropriate subdivision of the account shall be used in determining the cost to be assigned to such items when retired: *Provided*, That the method used in determining average cost gives due regard to the quantity, size, and kind of items, the area in which they were installed and their classification in other respects, as called for by the rules of the Commission regarding continuing property records and by the system of continuing property records accepted by the Commission specifically for use of the accounting company. This method of average cost may be applied in retirement of such items as telephones, bell boxes, station installations, poles, crossarms, wire, cable, cable terminals, conduit, and nonmultiple private branch exchange switchboards. Any company may use average cost of property installed in a year or band of years. It should be understood, however, that the use of average costs shall not relieve the company of the requirement for maintaining its continuing property records in such manner as to show, where practicable, dates of installation and removal so as to provide these data for purposes of mortality studies.

(f) The accounting for the retirement of organization, franchises, patent rights, and other intangible property, shall be as provided for in the texts of account 172, "Amortization reserve," account 413, "Miscellaneous debits to earned surplus," account 613, "Amortization of intangible property," and account 100:4, "Telephone plant acquisition adjustment."

(g) When telephone plant is sold together with the telephone traffic associated therewith, the original cost of the property shall be credited to the appropriate plant accounts and the estimated amounts carried with respect thereto in the depreciation and amortization reserve accounts shall be charged to such reserve accounts. The difference, if any,

between (1) the net amount of such debit and credit items and (2) the consideration received (less commissions and other expenses of making the sale) for the property shall be included, if a debit, in account 410, "Debits for telephone plant sold," and if a credit, in account 401, "Credits for telephone plant sold." The accounting for depreciable telephone plant sold without the traffic associated therewith shall be in accordance with the accounting provided in paragraph (b) of account 171, "Depreciation reserve."

§ 31.2-26 *Continuing property record required.* (a) Not later than June 30 of the year following that in which a company becomes subject (note § 31.-01-1) to these accounts (note § 31.01-3 (a)) each company shall file with the Commission three copies of a complete plan of the method to be used in the compilation of a continuing property record with respect to each class of property for which such records are hereinafter prescribed. The plan shall include a list of the property-record units proposed for use under each plant account. A narrative statement shall accompany the list of proposed property-record units, describing in detail the content and method of maintenance of all forms and other records which are designed for use in compiling the continuing property record, to the end that a ready analysis with respect to the sufficiency thereof may be made. In preparing this narrative statement, the company shall include typical examples indicating the use of, and relationship between, the various forms and records.

NOTE: Companies subject to these accounts on June 30, 1943, were required by the then effective rules to compile a continuing property record with respect to property as at December 31, 1936, and to reflect therein all subsequent additions and retirements.

(b) Any company may, in lieu of submitting the plan provided for in paragraph (a) of this section, submit to the Commission not later than June 30 of the year following that in which the company becomes subject to these accounts, a statement in triplicate that it concurs in and proposes to pursue in all particulars a plan filed with the Commission by another company which it is believed conforms fully to the requirements of paragraph (a) of this section.

(c) Not later than June 30 of the year following that in which a company becomes subject to these accounts each company shall begin the preparation of a continuing property record with respect to property of each class represented in the several plant accounts comprised by balance-sheet accounts 100:1, "Telephone plant in service," and 100:3, "Property held for future telephone use," and with respect to property represented in account 103, "Miscellaneous physical property." These records shall be completed not later than 2 years after the prescribed date of beginning with respect to property as at the date the company becomes subject to these accounts and with respect to the changes effected therein between such date and the end of the calendar year preceding the date that these records are required to be completed. Property changes (whether made by companies already subject to these rules or those becoming subject hereafter) affecting the period subsequent to the end of that year for which the records are required to be completed shall be promptly processed in the continuing property record to the end that the record shall provide reasonably current data at all times.

(d) The continuing property record shall be arranged in conformity with the plant accounts prescribed in this system of accounts. It shall be compiled on basis of original cost (or other book cost consistent with the provisions of this system of accounts). The record or records supplemental thereto shall contain such detailed description and classification of property-record units as will permit their ready identification and verification. They shall be maintained in such manner as will meet the following basic objectives:

(1) An inventory of property-record units which may be readily spot-checked for proof of physical existence.

(2) The association of costs with such property-record units to assure accurate accounting for retirements.

(3) The determination of dates of installation and removal of plant retired to provide data for use in connection with depreciation studies.

The record or records supplemental thereto shall accordingly reveal clearly, in relation to designated accounting areas, detailed and systematically summarized information as to the kind, character, size, quantity, location, year of placement and retirement where practicable, ownership, and actual or apportioned original cost (or other appropriate book cost) of the telephone plant and other property-record units aggregately represented by the concurrent balances in accounts 100:1, "Telephone plant in service," 100:3, "Property held for future telephone use," and 103, "Miscellaneous physical property." In order that there may be on hand at the time of retirement a maximum of pertinent cost data, every effort shall be made at the time plant is constructed and/or installed to obtain all such available cost data by subcontracts, trades, and if practicable, by retirement units.

NOTE: See Appendix B, Standard Practices for the Establishment and Maintenance of Continuing Property Records by Telephone Companies Having Investment in Account 100:1, "Telephone Plant in Service," in Excess of $8,000,000.

2. Delete Appendix B in its entirety and substitute the following:

APPENDIX B

STANDARD PRACTICES FOR THE ESTABLISHMENT AND MAINTENANCE OF CONTINUING PROPERTY RECORDS BY TELEPHONE COMPANIES HAVING INVESTMENT IN ACCOUNT 100:1, "TELEPHONE PLANT IN SERVICE," IN EXCESS OF $8,000,000

1. *Accounting areas.* (a) The continuing property record, as related to each primary plant account, shall be established and maintained by subaccounts for each accounting area. An accounting area is the smallest territory of the company for which accounting records of investment are maintained for all plant accounts within the area. Areas already established for administrative, accounting, valuation, or other purposes may be adopted for this purpose when appropriate. In no case shall the boundaries of accounting areas cross State lines. In determining the limit of each area, consideration shall be given to the quantities of property, construction conditions, operating districts, county and township lines, taxing district boundaries, city limits, and other political or geographical limits, in order that the areas adopted may have a maximum adaptability, within the confines of practicability, for both the company's purposes and those of Federal, State, and municipal authorities.

(b) Not later than June 30, following the year in which a company's investment in account 100:1, "Telephone plant in service," exceeded $8,000,000, there shall be filed with the Commission three copies of a list of accounting areas, to be accompanied by descriptions of the boundaries of each area. Description of proposed major changes in accounting areas, such as consolidation, subdivision, addition or elimination of areas shall be submitted in triplicate to the Commission thirty days in advance of the proposed effective dates of such changes.

2. *Property-record units.* (a) In each of the established accounting areas, the "property-record units" (in terms of which the continuing property record is to be maintained) shall be set forth separately, classified by size and type and with the amount of original cost (or other appropriate book cost) associated with such units. When a list of property-record units has been accepted by the Commission, the property-record units set forth therein shall become the property-record units referred to in this statement of standard practices. When it is found necessary to revise this list because of the addition of units used in providing new types of service, or new units resulting from improvements in the art, or because of the grouping or elimination of units which no longer merit separate recognition as property-record units, three copies of such changes shall be submitted to the Commission.

(b) With respect to land in fee classifiable in account 207, "Right of way," and land classifiable in account 211, "Land," the property-record unit to be set forth in the continuing property record shall be a parcel of land. A land parcel means one continuous plot within an accounting area. Each land parcel shall be identified as to functions and location. In the continuing property record or in records supplemental thereto there shall be shown with respect to each land parcel the area, identity of vendors, grantors or other conveyors of title, identification of deeds, or other instruments, and original cost.

(c) The continuing property record shall reveal the location, the essential details of construction, and the cost of each building. In cases where the underlying records of construction costs of buildings are available, such costs shall be so analyzed and the analyses so maintained that, upon any retirement of one or more retirement units or of minor items (without replacement), a reasonably accurate estimate of the cost of the plant retired can be made. In cases where no construction cost details are available and a retirement of a portion of such a building is made, the cost of the plant retired shall be determined on an estimated basis by allocating to such plant retired an equitable portion of the estimated cost of the contract or trade (e. g., masonry, plumbing, etc.) in which the specific retirement is being made. Allocations shall be made in such a manner as to insure that the unit being retired will carry its ratable share of architectural and engineering fees and other similar indirect costs.

(d) The continuing property record shall reveal the location, the essential details of construction, and the cost of each type of central office (manual, step-by-step, etc.) in each building, and of each large private

branch exchange. Because of the small number of interim retirements and the comparatively small amounts involved therein, unless such annual retirements become at least 25% of the balance at the beginning of the year with respect to any central office, the cost of each central office need not be broken down into the individual retirement units of which it is composed. The underlying records of construction cost shall be so maintained that, upon any retirement of one or more retirement units or of minor items (without replacement), a reasonably accurate estimate of the cost of the plant retired can be made.

(c) The continuing property record shall show the number and nature of items included in account 261, "Furniture and office equipment," and account 264, "Vehicles and other work equipment," whether such items are retired on an average cost basis or otherwise.

3. *Method of determining original cost (note § 31.01–3 (x)) of property-record units.* Original cost of the property-record units shall be determined by analyses of the construction costs incurred as shown by completion reports, or other data, covering the respective construction work orders or authorizations, provided that in those cases where the actual original cost of property cannot be ascertained, such original cost shall be estimated. Such estimated original cost shall be consistent with the accounting practices in effect at the time of construction of the property. Costs shall be allocated to and associated with the property-record units in such manner as to assure accurate accounting for retirements.

4. *Average costs.* (a) In the development of average costs for plant consisting of a large number of similar units, such as telephones, bell boxes, station installations, poles, crossarms, wire, cable, cable terminals, conduit, and nonmultiple private branch exchange switchboards, units of similar size and type within each specified accounting area and plant account may be grouped without regard to year of construction. Each such average cost shall be set forth in the continuing property record or in records supplemental thereto and in support thereof.

(b) The averaging of costs permitted under the provisions of the foregoing paragraph is restricted to the averaging of costs incurred within an accounting area as defined in paragraph 1 (a). The provisions of paragraph 4 (a) shall not be interpreted as permitting the inclusion within such average cost of the cost of units involved in any unusual or special types of construction. The units involved in such unusual or special types of construction shall be recorded at actual cost by locations.

(c) When classes of plant are subdivided between exchange and toll, the bases of the average costs shall be confined to items priced in the respective subdivisions.

5. *Identification of property-record units.* There shall be shown in the continuing property record, or in records supplemental thereto and in support thereof, a complete description of the property-record units in such detail as to identify plainly such units. The description (except for classes of plant for which it is impracticable, such as station apparatus, station installations, and drop and block wires) shall include the identification of the work order under which constructed, the year of installation (unless not determinable at reasonable expense with respect to past acquisitions or installations), the specific location of the property within each accounting area in such manner that it can be readily spot-checked for proof of physical existence, the accounting company's number or designation, and any other description used in connection with the determination of the original cost. Descriptions of units of similar size and type shall follow prescribed groupings.

6. *Reinstalled units.* When units with respect to which average costs are not applied under the practices herein prescribed are removed or retired and subsequently reinstalled, the date when the unit was first charged to the appropriate plant account shall, when required for adequate service life studies and reasonably accurate retirement accounting, be shown in addition to the date of reinstallation.

7. *Age of property.* The continuing property record or records supplemental thereto and in support thereof shall be so maintained as to disclose the age of existing property and the service life of property retired. Exceptions from this requirement for any property-record units shall be submitted as part of the company's plan of continuing property records.

8. *Reference to sources of information.* There shall be shown by appropriate reference the source of all entries. All drawings, computations, and other detailed records which support either the quantities or the costs included in the continuing property record shall be retained as a part of or in support of the continuing property record.

9. *Jointly owned property.* (a) With respect to jointly owned property, there shall be shown in the continuing property record or records supplemental thereto:

(1) The identity of all joint owners.

(2) The percentage of ownership of the physical units vested in the accounting company.

NOTE: When plant is constructed under arrangements for joint ownership, the amount received by the constructing company from the other joint owner or owners shall be credited as a reduction of the gross cost of the plant in place. When a sale of a part interest in plant is made, the fractional interest sold shall be treated as a retirement and the amount received shall be treated as salvage. The continuing property record or records supplemental thereto shall be so maintained as to identify retirements of this nature separately from physical retirements of jointly owned plant.

(b) If jointly owned property is substantial in relation to the total of the same kind of property owned wholly by the company, such jointly owned property shall be appropriately segregated in the continuing property record.

3. Amend § 1.547 *Reports to be filed under Part 31 of this chapter,* of Part 1 as follows:

a. Delete from paragraph (r) the reference to paragraph (c) of § 31.2–26.

b. Delete paragraphs (u), (v), (w), and (x) and substitute the following:

(u) Appendix B—Standard Practices, CPR: Section 1 (b). Continuing property record; (1) list of accounting areas (with descriptions) and (2) descriptions of subsequent proposed changes in the list.

(v) CPR: Section 2 (a). Continuing property record; proposed revisions in list of property-record units.

[F. R. Doc. 52-9961; Filed, Sept. 11, 1952; 8:48 a. m.]

PART 3—RADIO BROADCAST SERVICES

TELEVISION BROADCAST STATIONS; SEPARATIONS, POWER AND ANTENNA HEIGHT REQUIREMENTS

In the matter of amendment of §§ 3.610 and 3.614 of the Commission's rules and regulations pertaining to television broadcast stations.

By the Commission. Commissioners Hyde and Hennock not participating. Commissioner Jones dissenting.

1. Section 3.610[1] of the Commission's TV rules divides the country into three zones and establishes the following minimum co-channel assignment and station separations for each zone:

Zone	Channels 2-13	Channels 14-83
I	170 miles	155 miles
II	190 miles	175 miles
III	220 miles	205 miles

The section provides further that where the boundary line between two zones passes through a community, that community shall be considered to be located in the lower-numbered zone. The section also provides that the minimum co-channel separation between a station or assignment in one zone and a station or assignment in another zone shall be that of the zone requiring the lower separation.

2. Section 3.614 (b) of the Commission's TV rules pertaining to power and antenna heights provides that VHF stations in Zones II and III may employ maximum powers with antenna heights up to 2000 feet, and that for heights exceeding 2000 feet, the power will be decreased in accordance with the chart designated as Appendix C Figure 2b of the rules. VHF stations in Zone I, however, may employ maximum power only with antenna heights up to 1000 feet, and stations employing heights greater than 1000 feet must decrease power in accordance with the chart designated as Appendix C Figure 2a of the rules.

3. The Commission has received a number of requests for interpretations of the above sections in connection with their application to cases where a transmitter is located in a different zone from the city to which the channel is assigned. The basic question presented by these requests is the "location of the station" for purposes of applying the Commission's rules with respect to mileage separations and maximum heights and powers. Specifically, the question in each case is whether the station is located at the transmitter site or in the community to which the channel is assigned.

4. In the Commission's Sixth Report and Order (Docket 8736 et al.) the Commission determined that the transmitter site shall be used where available in measuring all separations both for rule making purposes and licensing purposes. The Commission's determinations with respect to minimum mileage separations and the utilization of maximum power at specified antenna heights were based upon the service rendered and the resulting interference. Such determinations were predicated upon the operation of stations at the separations and heights and powers specified in the rules. Thus,

[1] The Sixth Report and Order provided that the new TV rules adopted thereby would become effective 30 days from the date of publication in the FEDERAL REGISTER. Such publication was made on May 2, 1952 (17 F. R. 3905); and, therefore, the new rules became effective June 2, 1952.

the Commission concluded in the Sixth Report that where a transmitter site is in existence or is proposed, that transmitter site shall be used as the point of reference rather than the city to which the channel is assigned (paragraphs 106–108). These decisions were implemented by the Commission's new television rules. Thus, in § 3.611 it is provided that in considering petitions to amend the Table of Assignments, and for the purpose of determining station separations in licensing proceedings, the existing or proposed transmitter sites shall be used where available.

5. Accordingly, the zone in which the transmitter of a television station is located or proposed determines the applicable rules with respect to co-channel mileage separations and maximum antenna heights and powers for VHF stations. Following are examples of the application of the rules to situations where the transmitter is located in a different zone from the city to which the channel employed by the stations is assigned: [3]

(1) Where a VHF station employs a channel assigned to a city in Zone II and locates its transmitter in Zone I, the station is required to maintain a separation of only 170 miles to all other stations and assignments in Zones I and II.

(2) Where a VHF station employs a channel assigned to a city in Zone III and locates its transmitter in Zone II, the station is required to maintain a separation of only 190 miles to other stations and assignments in Zones I and II.

(3) Where a VHF station employs a channel assigned to a city in Zone I and locates its transmitter in Zone II, the station is required to maintain a separation of 190 miles to other stations and assignments in Zone II, and 170 miles to other stations and assignments in Zone I.

(4) Where a VHF station employs a channel assigned to a city in Zone II and locates its transmitter in Zone III, the station is required to maintain a separation of 220 miles to other stations and assignments in Zone III, and a separation of 190 miles to other stations and assignments in Zone II.

(5) Where a station employs a VHF channel assigned to a city in Zone II and locates its transmitter in Zone I, the rules governing the utilization of maximum heights and powers for Zone I VHF stations apply.

(6) Where a station employs a VHF channel assigned to a city in Zone I and locates its transmitter in Zone II, the rules governing the utilization of maximum heights and powers for Zone II VHF stations apply.

7. The Commission is of the view that paragraphs should be added to §§ 3.610 and 3.614 interpreting these rules with respect to cases where the transmitter is located in one zone and the city to which the channel is assigned is located in another zone. Since these amendments are interpretative of existing rules, provisions of section 4 of the Administrative Procedure Act with respect to notice of proposed rule making are inapplicable and the amendments are made effective immediately. The authority for the issuance of the amendments are contained in sections 1, 4 (i) and (j), 301, 303 (a), (b), (c), (d), (e), (f), (g), (h), and (r) and 307 (b) of the Communications Act of 1934, as amended, and section 4 of the Administrative Procedure Act.

8. In view of the foregoing, it is ordered, that, effective immediately, §§ 3.610 and 3.614 are amended by the addition of interpretative sections as set out below:

1. Section 3.610 of the Commission's rules and regulations is amended by the addition of the following paragraph:

(d) The zone in which the transmitter of a television station is located or proposed to be located determines the applicable rules with respect to co-channel mileage separations where the transmitter is located in a different zone from that in which the channel to be employed is located.

2. Section 3.614 of the Commission's rules and regulations is amended by the addition of the following paragraph:

(c) The zone in which the transmitter of a television station is located or proposed to be located determines the applicable rules with respect to maximum antenna heights and powers for VHF stations when the transmitter is located in Zone I and the channel to be employed is located in Zone II, or the transmitter is located in Zone II and the channel to be employed is located in Zone I.

(Sec. 4, 48 Stat. 1066, as amended; 47 U. S. C. 154. Interpret or apply secs. 301, 303, 48 Stat. 1081, 1085; 47 U. S. C. 301, 303)

Adopted: September 3, 1952.

Released: September 4, 1952.

FEDERAL COMMUNICATIONS COMMISSION,[4]

[SEAL] T. J. SLOWIE, *Secretary.*

[F. R. Doc. 52-9962; Filed, Sept. 11, 1952; 8:48 a. m.]

[3] The examples set out with respect to minimum co-channel separations refer to VHF channels. The principle applies equally, however, to UHF channels.

[4] Commissioner Jones dissents for the same reasons stated in his dissents in Yankee Network, Inc., 4 RR 164; Memorandum Opinion of the Commission ruling on the Bar Association petition, 7 RR 371; and the Sixth Report and Order, 1 RR 91:599.

TITLE 50—WILDLIFE

Chapter I—Fish and Wildlife Service, Department of the Interior

Subchapter C—Management of Wildlife Conservation Areas

PART 31—PACIFIC REGION

SUBPART—TULE LAKE NATIONAL WILDLIFE REFUGE, CALIFORNIA

PHEASANT HUNTING PERMITTED

Basis and purpose. On the basis of observations and reports of field investigations conducted by representatives of the Fish and Wildlife Service and the California Fish and Game Commission, it has been determined that there is a surplus of pheasants on the Tule Lake National Wildlife Refuge that can best be removed by permitting public hunting on parts of the refuge.

Since the following regulation is a relaxation of existing restrictions applicable to the Tule Lake National Wildlife Refuge, notice and public procedure thereon are not required (60 Stat. 237; 5 U. S. C. 1001, et seq.).

Effective immediately upon publication in the FEDERAL REGISTER, the following section is added:

§ 31.346 *Pheasant hunting permitted.* The hunting of pheasants shall be permitted on November 22, 23, 29, and 30, 1952, on the areas of the Tule Lake National Wildlife Refuge specified in § 31.342, and on such other areas as may be designated by posting by the officer in charge in accordance with the provisions of Parts 18 and 21 of this subchapter, and subject to the provisions, conditions, restrictions, and requirements of §§ 31.343 to 31.345, inclusive.

(Sec. 10, 45 Stat. 1224; 16 U. S. C. 715i)

Dated: September 8, 1952.

O. H. JOHNSON, *Acting Director.*

[F. R. Doc. 52-9951; Filed, Sept. 11, 1952; 8:45 a. m.]

PROPOSED RULE MAKING

DEPARTMENT OF AGRICULTURE

Production and Marketing Administration

[7 CFR Part 939]

HANDLING OF BEURRE D'ANJOU, BEURRE BOSC, WINTER NELIS, DOYENNE DU COMICE, BEURRE EASTER, AND BEURRE CLAIRGEAU VARIETIES OF PEARS GROWN IN OREGON, WASHINGTON AND CALIFORNIA

NOTICE OF PROPOSED RULE MAKING

Notice is hereby given that the Department is considering the approval of a proposed amendment, hereinafter set forth, to the rules and regulations (7 CFR 953.100 et seq.; Control Committee rules and regulations) that are currently in effect pursuant to the applicable provisions of the marketing agreement, as amended, and Order No. 39, as amended (7 CFR Part 939) regulating the handling of Beurre D'Anjou, Beurre Bosc, Winter Nelis, Doyenne du Comice, Beurre Easter, and Beurre Clairgeau varieties of pears grown in Oregon, Washington, and California. This is a regulatory program effective under the Agricultural Marketing Agreement Act of 1937, as amended (7 U. S. C. 601 et seq.). The amendment to the said rules and regulations has been proposed by the Control Committee, established under said amended marketing agreement and order as the agency to administer the terms and provisions thereof.

The proposed amendment is as follows:

Renumber § 939.110 *Application for exemption certificate* as "§ 939.110a" and insert as a new § 939.110 the following:

§ 939.110 *Determination of district percentages.* (a) The Control Committee, at its meeting held on or before August 1 of each year for the purpose of making recommendations to the Secretary under the provisions of § 939.50, shall estimate the district percentages which the grades and sizes of each variety of pears permitted to be shipped from each district under the recommended regulation bears to the total quantity of each variety of pears which could be shipped from that district in the absence of regulation.

(b) Any notice issued or given pursuant to this estimate shall specifically state that each of the said percentages is merely an estimate subject to change, and is not to be relied upon until final action is taken as hereinafter provided. Each exemption committee, as hereinafter constituted in each district, shall meet and elect a district chairman and a secretary, either at or within ten days following said meeting of the Control Committee. Said district chairman shall immediately notify the secretary of the Control Committee of the names of the chairman and the secretary. The chairman of each exemption committee shall call a meeting of such committee within his district not later than a date to be determined each year by the Control Committee at the meeting specified in paragraph (a) of this section.

(c) At said district meeting, the district percentage estimates made by the Control Committee shall be reviewed by the exemption committee, and, if found to be not in accordance with conditions then existing within the district, said committee shall recommend proper adjustments to the Control Committee. Each exemption committee shall make only one recommendation for adjustment of district percentages in any one season, and said recommendation shall be made not later than the date specified by the Control Committee, except that should a major change occur in the crop or crops in any district after such date, the exemption committee may recommend a further change in such percentages. On the basis of the information submitted to it by the exemption committees and such other information and evidence as is available to it, the Control Committee shall establish all district percentages to be used in computing exemptions to growers. In the event no adjustment is recommended by the exemption committees by the date above specified, the Control Committee shall immediately, on the basis of information and evidence available to it, establish the district percentages to be used in computing exemptions to growers.

(d) The Control Committee shall give prompt notice to growers and handlers of the final percentages to be used in computing exemptions to growers.

(e) Any action taken by an exemption committee shall be approved by four affirmative votes, and each such committee shall keep accurate minutes and records of the proceedings of each of its meetings. A copy of such minutes and records shall be forwarded to the secretary of the Control Committee promptly after each meeting.

All persons who desire to submit written data, views, or arguments for consideration in connection with such proposal should do so by forwarding same to the Director, Fruit and Vegetable Branch, Production and Marketing Administration, Room 2077 South Building, Washington 25, D. C., not later than the tenth day after publication of this notice in the FEDERAL REGISTER.

Issued at Washington, D. C., this 9th day of September 1952.

[SEAL] S. R. SMITH,
Director, Fruit and Vegetable Branch, Production and Marketing Administration.

[F. R. Doc. 52-9089; Filed, Sept. 11, 1952; 8:53 a. m.]

[7 CFR Part 943]

[Docket No. AO 231-A2]

MILK IN THE NORTH TEXAS MARKETING AREA

HEARING ON PROPOSED AMENDMENTS TO TENTATIVE MARKETING AGREEMENT AND TO ORDER, AS AMENDED, REGULATING HANDLING

Pursuant to the Agricultural Marketing Agreement Act of 1937, as amended (7 U. S. C. 601 et seq.), and the applicable rules of practice and procedure governing the formulation of marketing agreements and marketing orders (7 CFR Part 900), notice is hereby given of a public hearing to be held in the Junior Ball Room, Jefferson Hotel, 312 South Houston Street, Dallas, Texas, beginning at 10:00 a. m., c. s. t., September 16, 1952, for the purpose of receiving evidence with respect to emergency and other economic conditions which relate to the handling of milk in the North Texas marketing area and to the proposed amendments hereinafter set forth, or appropriate modifications thereof, to the tentative marketing agreement heretofore approved by the Secretary of Agriculture and to the order, as amended, regulating the handling of milk in the North Texas marketing area. These proposed amendments have not received the approval of the Secretary of Agriculture.

Amendments to the order for the North Texas marketing area have been proposed as follows:

By the North Texas Producers Association, Arlington, Texas:

1. Delete § 943.51 (a) (3) and substitute therefor as follows:

(3) For each month from the effective date hereof through March 1953 the Class I price shall not be less than $7.40 per hundredweight.

By the Dairy Branch, Production and Marketing Administration:

2. Make such changes as may be required to make the entire order conform with any amendments thereto which may result from this hearing.

Copies of this notice of hearing, and the order now in effect, may be procured from the Market Administrator, 6619 Denton Drive, Dallas, Texas, or the Hearing Clerk, United States Department of Agriculture, Room 1353, South Building, Washington 25, D. C., or may be there inspected.

Dated: September 9, 1952, at Washington, D. C.

[SEAL] ROY W. LENNARTSON,
Assistant Administrator.

[F. R. Doc. 52-9088; Filed, Sept 11, 1952; 8:52 a. m.]

FEDERAL COMMUNICATIONS COMMISSION

[47 CFR Parts 2, 6, 10, 11, 16]

[Docket No. 10315]

OPERATIONAL FIXED STATIONS AND FIXED STATIONS IN DOMESTIC FIXED PUBLIC SERVICE

NOTICE OF PROPOSED RULE MAKING

In the matter of a new policy to govern the assignment of frequencies in the band 72–76 Mc to operational fixed stations and fixed stations in the domestic fixed public service.

1. Notice is hereby given of proposed rule making in the above entitled matter.

2. Footnotes NG–3 and NG–5 to the Table of Frequency Allocations permit the assignment of frequencies in the band 72–76 Mc to operational fixed stations and fixed stations in the Domestic Fixed Public Service under certain conditions. The recent lifting of the TV "freeze" and the adoption of an engineered Table of Assignments for TV stations throughout the country makes it desirable that the standards for making assignments in this band be revised and made more definite.

3. The Commission believes it is possible to make provision for certain fixed uses in the band 72–76 Mc and at the same time give adequate protection to TV reception. To this end, it is proposing the establishment of standards for such assignments which do not attempt to eliminate completely all possibilities of interference but rather which minimize its probabilities. It is proposed, therefore, to delete the criteria presently contained in the various rules with respect to the protection to be accorded television in the assignment of frequencies in the band 72–76 Mc to fixed stations and substitute the following:

(a) Whenever it is proposed to locate a 72–76 Mc fixed station 80 or more miles from the site of a TV transmitter operating on either channel 4 or 5, or from the post office of a community in which such channels are assigned but are not in operation, the fixed station will not be required to afford any protection to the reception of television on such channels.

(b) Whenever it is proposed to locate a 72–76 Mc fixed station less than 80, but more than 10 miles from the site of a TV transmitter operating on either channel 4 or 5 (or from the post office of a community in which such channels are assigned but are not in operation), such stations will be authorized only if:

(1) There are fewer than 100 family dwelling units[1] located within a circle centered at the location of the proposed fixed station[2] the radius of which shall be determined by use of the chart entitled, "Chart for Determining Radius From Fixed Station in 72–76 Mc/s Band to Interference Contour Along Which 10 Percent of Service From Adjacent Channel Television Station Would Be Destroyed."[3]

(2) The applicant agrees to eliminate any interference caused by his operations to TV reception on either channel 4 or 5 that might develop within that circle by whatever means are found necessary within 30 days of the time knowledge of said interference is first brought to his attention by the Commission.

(3) Vertical polarization is used.

Provided, however, That the Commission may, in a particular case, authorize the location of a fixed station within a circle as determined under (1) above containing 100 or more family dwelling units upon a showing that:

(i) The proposed site is the only suitable location.

(ii) It is not feasible, technically or otherwise, to use other available frequencies.

(iii) The applicant has a plan to control any interference that might develop to TV reception from his operations.

(iv) The applicant is financially able and agrees to make such adjustments in the TV receivers affected as may be necessary to eliminate interference caused by his operations.

(c) With respect to proposed separations between transmitters of 10 miles or less, preliminary data indicate there are important secondary effects which may result in interference not otherwise predictable. The Commission currently has this problem under study and when completed conditions for grant, if any, will be prescribed. Pending completion of this study, all applications seeking authority to operate with a separation of less than 10 miles will be returned without action.

(d) In any event, if, after a 72–76 Mc fixed station has been authorized, a TV station on channel 4 or 5 is, for any reason, permitted to operate with a transmitter site so located as to bring the fixed station within the interference parameters described above, the fixed station permittee must assume the responsibilities set forth therein and eliminate any interference his operations might cause within 90 days of the time knowledge thereof is first brought to his attention by the Commission. If, however, such operation of the new television station places the fixed station in category (c) above, the licensee of such fixed station shall within such 90 day period either discontinue operation or relocate his transmitter to conform to these criteria.

4. During the pendency of this proceeding, all grants that are made under the existing rules will be made on a temporary basis only and will expire 90 days after the date on which these rule making proceedings are concluded, at which time parties holding such authorizations will be eligible to secure new authorizations for a normal license period only in accordance with such rules and standards as the Commission may have adopted.

5. This proposal is issued pursuant to the authority contained in sections 4 (i) and 303 of the Communications Act of 1934, as amended.

6. Any interested party who is of the opinion that the proposed amendment should not be adopted or should not be adopted in the form set forth herein may file with the Commission on or before October 13, 1952, a written statement or brief setting forth his comments. Comments in support of the proposed amendment may also be filed on or before the same date. Comments or briefs in reply to the original comments may be filed within 10 days from the last day for filing said original comments or briefs. The Commission will consider all such comments that are submitted before taking action in this matter, and if any comments appear to warrant the holding of a hearing or oral argument, notice of the time and place of such hearing or oral argument will be given.

7. In accordance with the provisions of § 1.784 of the Commission's rules and regulations, an original and 14 copies of all statements, briefs, or comments shall be furnished the Commission.

Adopted: September 3, 1952.

Released: September 4, 1952.

FEDERAL COMMUNICATIONS COMMISSION,[4]

[SEAL] T. J. SLOWIE, *Secretary.*

[F. R. Doc. 52-9960; Filed, Sept. 11, 1952; 8:47 a. m.]

[1] As defined by the U. S. Bureau of Census.

[2] Family dwelling units 70 or more miles distant from the TV antenna site are not to be counted.

[3] This chart, which is filed as part of the original document and copies of which may be obtained from the Federal Communications Commission, is a nomograph for the solution of the following equation:

$$\log_{10} h\sqrt{P} = 3.45 - 0.0431S + 2\ \log_{10} r + 0.0431r$$

where:

S = distance in miles between TV site and 72–76 Mc fixed station.

r = distance in miles from 72–76 Mc fixed station to the contour at which the service area of the TV station is reduced by 10 percent.

h = height in feet of the center of the transmitting antenna array of the operational fixed station with respect to the average level of the terrain between 2 and 10 miles from such antenna in the direction of the TV station. The method for determining this is explained in detail in § 3.684 (d) of the TV Broadcast Rules.

P = effective radiated power in watts of the operational fixed station and equals the power output of the transmitter adjusted for transmission line loss and antenna gain. In symbols

$$P = P_o\, LG$$

where:

P_o = output of transmitter in watts

L = transmission line efficiency, percent

G = power gain of the antenna with respect to half wave dipole in free space.

[4] Commissioner Jones dissenting.

INTERSTATE COMMERCE COMMISSION

[49 CFR Part 1]

SPECIAL RULES OF PRACTICE IN APPLICATIONS BY MOTOR CARRIERS OF PROPERTY UNDER SECTIONS 5 (2), 206, AND 209

NOTICE OF PROPOSED RULE MAKING

SEPTEMBER 4, 1952.

The Commission has under consideration the advisability of adopting under sections 17 (3), 205 (e), 206 (b), and 209 (b) special rules of practice with respect to notice by publication of the filing of applications by motor carriers of property under sections 5 (2), 206, and 209 of the Interstate Commerce Act, the filing of protests to such applications, and the filing of verified statements in unprotested applications under sections 206 and 209.

Set forth below are proposed special rules dealing with these subjects.

No oral hearing on the proposed rules is contemplated. Anyone desiring to make representations in favor of or in opposition to any of the proposed rules may do so by submitting written data, views, or arguments. Submissions should be filed in triplicate with the Commission on or before October 15, 1952.

Notice to the general public is being given by depositing a copy in the office of the Secretary of the Commission for public inspection and by filing a copy with the Director, Division of the Federal Register.

By the Commission, Committee on Legislation and Rules.

[SEAL] GEORGE W. LAIRD, *Acting Secretary.*

RULE 1. *Scope of special rules.* These special rules, so far as applicable, govern procedure before the Interstate Commerce Commission (1) in applications under section 5 (2) of the Interstate Commerce Act respecting control, purchase, and lease of motor carriers of property and other unifications, of operating rights and properties of motor carriers of property, and (2) applications for operating rights under sections 206 and 209 of the act by motor carriers of property. They supplement the general rules of practice only to the extent they are applicable.

RULE 2. *Notice.* Notice of the filing of applications and amendments thereto, in proceedings described in Rule 1, shall be given to interested parties by publication of a summary of the authority sought in _____.[1]

In the interest of uniformity, the text of the summary will be prepared by the Interstate Commerce Commission. The cost of publication will be at the usual rate for classified advertising in _____,[1] and will be paid by the applicant to the publisher.

[1] In this space shall be placed the name of a weekly publication dealing with transportation matters and having a national circulation. The publication would be selected if the special rules are approved.

This rule supersedes the preexisting requirements respecting notice to interested persons.

RULE 3. *Time for filing protests.* Protests against the granting of applications and amendments thereto in proceedings described in Rule 1 shall be filed with the Commission and served upon applicant within 20 days after the date notice of the filing of an application or amendment thereto has been published in accordance with Rule 2. Except as to the time for filing, protests must conform to the provisions of Rule 40 of the general rules of practice (§ 1.40). Subsequent participation in the proceeding by an interested person will be permitted only upon leave granted after the filing and service upon the applicant of a petition in intervention and upon a showing of good cause, including good cause for not informing the Commission and the applicant of the person's interest within the 20-day period.

This rule supersedes the provision of Rule 40 of the general rules of practice (§ 1.40) respecting the time for filing protests.

RULE 4. *Verified statements.* If no protest is filed within the period specified, the applicant in an application under section 206 or 209 shall, within 30 days after the expiration of the time for filing protests, file verified statements of the evidence which would be presented at an oral hearing if an oral hearing were held. The original and 6 copies of such verified statements shall be filed with the Commission. The original must show the signature, capacity, and impression seal, if any, of the person administering the oath and the date thereof.

RULE 5. *Participation without intervention.* The provisions of Rule 73 of the Commission's general rules of practice (§ 1.73) are inapplicable in proceedings subject to these special rules.

RULE 6. *Five days additional.* The time periods specified in these special rules are subject to enlargement as provided in Rule 21 (c) of the general rules of practice (§ 1.21 (c)).

[F. R. Doc. 52-9974; Filed, Sept. 11, 1952; 8:50 a. m.]

NOTICES

DEPARTMENT OF THE TREASURY

Bureau of Customs

[417.0]

ASPARAGIN

PROSPECTIVE TARIFF CLASSIFICATION

SEPTEMBER 8, 1952.

It appears probable that asparagin is properly classifiable as a chemical compound, not specially provided for, under paragraph 5, Tariff Act of 1930, as modified, at a rate of duty higher than that heretofore assessed under a uniform practice.

Pursuant to § 16.10a (d), Customs Regulations of 1943 (19 CFR 16.10a (d)), notice is hereby given that the existing uniform practice of classifying such merchandise under paragraph 34 as a drug is under review in the Bureau of Customs.

Consideration will be given to any relevant data, views, or arguments pertaining to the correct tariff classification of this merchandise which are submitted in writing to the Bureau of Customs, Washington 25, D. C. To assure consideration, such communications must be received in the Bureau not later than 30 days from the date of publication of this notice. No hearings will be held.

[SEAL] FRANK DOW,
Commissioner of Customs.

[F. R. Doc. 52-9985; Filed, Sept. 11, 1952; 8:51 a. m.]

DEPARTMENT OF AGRICULTURE

Forest Service

CARSON NATIONAL FOREST

REMOVAL OF TRESPASSING HORSES

Whereas a number of horses are trespassing and grazing on the Jicarilla Ranger District of the Carson National Forest, in Rio Arriba County, State of New Mexico; and

Whereas these horses are consuming forage needed for permitted livestock, are causing extra expense to established permittees, and are injuring national-forest lands;

Now, therefore, by virtue of the authority vested in the Secretary of Agriculture by the act of June 4, 1897 (30 Stat. 35; 16 U. S. C. 551), and the act of February 1, 1905 (33 Stat. 628; 16 U. S. C. 472), the following order is issued for the occupancy, use, protection, and administration of land in the Jicarilla Ranger District of the Carson National Forest:

Temporary closure from livestock grazing. (a) The Jicarilla Ranger District in the Carson National Forest is hereby closed for the period November 1, 1952 to May 10, 1953, to the grazing of horses, excepting those that are lawfully grazing on or crossing land in such District pursuant to the regulations of the Secretary of Agriculture, or that are used in connection with operations authorized by such regulations, or that are used as riding, pack, or draft animals by persons traveling over such land, which is located in Townships 27, 28, 29, 30, 31, and 32 North, Range 4 West and parts of Townships 29, 30, 31, and 32, Range 5 West, Rio Arriba County, New Mexico.

(b) Officers of the United States Forest Service are hereby authorized to dispose of, in the most humane manner, all horses found trespassing or grazing in violation of this order.

(c) Public notice of intention to dispose of such horses shall be given by posting notices in public places or advertising in a newspaper of general circulation in the locality in which the Carson National Forest is located.

Done at Washington, D. C., this 9th day of September 1952. Witness my hand and the seal of the Department of Agriculture.

[SEAL] CHARLES F. BRANNAN,
Secretary of Agriculture.

[F. R. Doc. 52-9987; Filed, Sept. 11, 1952; 8:52 a. m.]

CIVIL AERONAUTICS BOARD

[Public Notice PN 4, Amdt. 2]

LETTERS OF REGISTRATION; INTERCHANGE SCHEDULES

The Civil Aeronatics Board hereby amends Public Notice PN 4, dated March 1, 1951, as follows:

(1) By deleting section 6.6 and substituting therefor a new section 6.6 to read as follows:

SEC. 6.6 *Letters of Registration issued pursuant to Parts 296 and 297 of the Economic Regulations.* The Director, Bureau of Air Operations, is authorized to approve applications for a Letter of Registration filed pursuant to Parts 296 and 297 of the Economic Regulations and approve relationships prohibited by §§ 296.11 and 297.13 of the Economic Regulations (14 CFR 296.11 and 297.13), when such approvals do not involve novel or substantial questions of policy; advise applicants for such Letters of Registration and applicants for approval of such relationships, in cases where disapproval is deemed appropriate, that the information set forth in the application does not warrant a staff recommendation of approval and that the applicant may either (a) withdraw the application, (b) submit further information, (c) seek Board review, or (d) request a hearing with respect to such application prior to final action; dismiss, by letter, applications for such Letters of Registration, provided that each such applicant is given notice that his application will be dismissed if, in appropriate cases, he does not, within 30 days, file information necessary to complete the processing of his application, or file a tariff; and cancel a Letter of Registration upon the filing by a Domestic or International Air Freight Forwarder of a written notice with the Board indicating the discontinuance of common carrier activities.

(2) By adding a new section 6.15 *Interchange schedules*, as follows:

SEC. 6.15 *Interchange schedules.* The Director, Bureau of Air Operations,

is authorized by letter to the participating carriers to advise them of Board approval of interchange schedules which appear to conform to the service plan contemplated by the Board's orders approving the basic interchange agreements; by letter to the participating carriers to advise them of the filing of interchange schedules which do not appear to conform to approved service plans contemplated by the Board's orders approving the basic interchange agreements, and advising them of tentative staff disapproval, and that the parties thereto may either (a) request Board reviews; (b) revise the schedule; (c) withdraw the schedule.

Effective: August 22, 1952.

[SEAL] M. C. MULLIGAN, *Secretary.*

[F. R. Doc. 52-9982; Filed, Sept. 11, 1952; 8:51 a. m.]

FEDERAL POWER COMMISSION

[Docket No. G-1447]

UNITED GAS PIPE LINE CO.

NOTICE OF APPLICATION

SEPTEMBER 8, 1952.

Take notice that United Gas Pipe Line Company (Applicant), a Delaware Corporation having its principal place of business at 1525 Fairfield Avenue, Shreveport, Louisiana, filed on August 21, 1952, an application for a certificate of public convenience and necessity pursuant to section 7 of the Natural Gas Act, authorizing the transportation and sale of natural gas for an interim period pending the completion of certain facilities under the conditions hereinafter described.

Applicant proposes to transport natural gas through facilities authorized in Docket No. G-1447 and sell this gas for resale to Texas Gas Transmission Corporation (Texas Gas) until such time as Texas Gas has completed contruction of facilities authorized by the Commission order issued July 25, 1952, accompanying Opinion 232, Docket No. G-1847. Applicant states that the estimated time of completion by Texas Gas of the facilities is about July 1, 1953, at which time deliveries of 200,000 Mcf of natural gas a day are authorized.

Granting of the application herein would require amendment of the Commission order issued February 27, 1951, accompanying Opinion 206, Docket No. G-1447.

Protests or petitions to intervene may be filed with the Federal Power Commission, Washington 25, D. C., in accordance with the rules of practice and procedure (18 CFR 1.8 or 1.10) on or before the 29th day of September 1952. The application is on file with the Commission for public inspection.

[SEAL] LEON M. FUQUAY, *Secretary.*

[F. R. Doc. 52-9952; Filed, Sept. 11, 1952; 8:45 a. m.]

[Docket No. G-1925]

EAST TENNESSEE NATURAL GAS CO.

ORDER RECONVENING HEARING

SEPTEMBER 8, 1952.

On May 9, 1952, at the conclusion of the taking of the evidence proffered by East Tennessee Natural Gas Company (East Tennessee) in support of its rate filings in this proceeding, the Presiding Examiner on motion made for a recess, recessed the hearing until a date to be fixed by further order of the Commission.

Parties to this proceeding have notified the Commission that an offer of settlement has been reached and that the hearing should be reconvened for this purpose at an early date.

The Commission finds: Good cause exists to reconvene the hearing in this proceeding on notice less than the fifteen days provided by § 1.19 of the Commission's rules of practice and procedure (18 CFR 1.19).

The Commission orders:

(A) The public hearing in this proceeding reconvene on September 15, 1952, at 10:00 a. m., e. d. s. t., in the Hearing Room of the Federal Power Commission, 1800 Pennsylvania Avenue NW., Washington, D. C.

(B) Interested State Commissions may participate as provided by §§ 1.8 and 1.37 (f) [18 CFR 1.8 and 1.37] of said rules of practice and procedure.

Date of issuance: September 8, 1952.

By the Commission.

[SEAL] LEON M. FUQUAY, *Secretary.*

[F. R. Doc. 52-9953; Filed, Sept. 11, 1952; 8:45 a. m.]

[Project No. 2097]

NAMEKAGON HYDRO CO.

NOTICE OF RESUMPTION OF HEARING

SEPTEMBER 8, 1952.

Notice is hereby given that the hearing, in the above designated matter, recessed on June 18, 1952, at Spooner, Wisconsin, be and it is hereby scheduled to resume on October 14, 1952, at 10:00 a. m. in the Hearing Room of the Federal Power Commission, 1800 Pennsylvania Avenue NW., Washington, D. C.

[SEAL] LEON M. FUQUAY, *Secretary.*

[F. R. Doc. 52-9984; Filed, Sept. 11, 1952; 8:51 a. m.]

HOUSING AND HOME FINANCE AGENCY

Home Loan Bank Board

TERMINATION OF UNITED STATES HOUSING CORPORATION

Notice is hereby given that the corporate existence of the United States Housing Corporation, a corporation organized by authority of an act of Congress entitled "An Act to Authorize the President to Provide Housing for War Needs" (40 Stat. 550), as amended (40 Stat. 595), and incorporated under the laws of the State of New York terminated on September 8, 1952, all laws of the State of New York with respect to its dissolution and termination having been complied with.

Dated: September 9, 1952.

By the Home Loan Bank Board.

[SEAL] J. FRANCIS MOORE, *Secretary.*

[F. R. Doc. 52-9983; Filed, Sept. 11, 1952; 8:51 a. m.]

SECURITIES AND EXCHANGE COMMISSION

[File No. 70-2912]

DUQUESNE LIGHT CO.

ORDER PERMITTING SUBMISSION OF SHARES OF PREFERRED STOCK AND BONDS TO COMPETITIVE BIDDING

SEPTEMBER 8, 1952.

Duquesne Light Company ("Duquesne"), a public utility subsidiary of Philadelphia Company, a registered holding company, has filed an application, with amendments thereto, pursuant to section 6 (b) of the act and Rule U-50 promulgated thereunder with respect to the following proposed transactions:

Duquesne proposes to issue and sell, pursuant to the competitive bidding requirements of Rule U-50, 140,000 shares of ------ percent Preferred Stock, $50 par value. The dividend rate and the price per share to be paid the company will be determined by competitive bidding, except that the invitation for bids will specify that the price to the company shall not be less than $50 nor more than $51.375 per share.

Shortly thereafter, Duquesne also proposes to issue and sell, pursuant to the competitive bidding requirements of Rule U-50, $14,000,000 principal amount of First Mortgage ------ percent Bonds, Series due September 1, 1982. The interest rate and the price to the company for the bonds will be determined by competitive bidding, except that the invitation for bids will specify that the price to the company shall not be less than 100 percent nor more than 102.75 percent of the principal amount. The bonds will be issued under the provisions of the company's existing Indenture, dated August 1, 1947, to the Mellon National Bank and Trust Company, as Trustee, as last supplemented on September 24, 1951, and to be further supplemented by a Supplemental Indenture to be dated September 1, 1952.

The applicant requests that the ten-day period required by Rule U-50 to elapse between the time of inviting bids and the entering into of agreements with respect to the sale of both the preferred stock and the bonds be shortened to six days. The proceeds of the sale

of the preferred stock and the bonds will be used to retire $15,810,000 of short-term bank loans, which were incurred for construction purposes, and the balance will be used to finance additional construction expenditures.

The filing states that the issuance and sale of the preferred stock and the bonds have been authorized by the Public Utility Commission of Pennsylvania. Applicant requests that the Commission's order herein become effective upon issuance.

Due notice having been given of the filing of the application and a hearing not having been requested of or ordered by the Commission, and the Commission finding that the applicable provisions of the act and the rules promulgated thereunder are satisfied and that no adverse findings are necessary, and having deemed it appropriate in the public interest and the interest of investors and consumers that said application, as amended, be granted subject to the following terms and conditions and reservation of jurisdiction:

It is hereby ordered, Pursuant to Rule U-23 and the applicable provisions of the act, that said application, as amended, be, and the same hereby is, granted effective forthwith, subject to the terms and conditions prescribed in Rule U-24 and to the further condition that the results of competitive bidding with respect to the sale of the preferred stock and the bonds, pursuant to Rule U-50, have been made a matter of record herein and a further order or orders shall have been entered with respect thereto, which order or orders shall contain such futher terms and conditions as may then be deemed appropriate, for which purpose jurisidiction be, and the same hereby is, reserved:

It is further ordered, That jurisdiction be, and the same hereby is, reserved over all fees and expenses incurred in connection with the proposed transactions:

It is further ordered, That the request of Duquesne for authority to shorten to six days the ten day notice period required by Rule U-50 to elapse between the time of inviting bids and the entering into of agreements with respect to the issuance and sale of the preferred stock and the bonds be, and the same hereby is, granted.

By the Commission.

[SEAL] ORVAL L. DUBOIS, *Secretary.*

[F. R. Doc. 52-9958; Filed, Sept. 11, 1952; 8:47 a. m.]

[File No. 70-2926]

ELECTRIC BOND AND SHARE CO.

NOTICE CONCERNING ACQUISITION OF ADDITIONAL COMMON STOCK OF AMERICAN & FOREIGN POWER COMPANY, INC., AS A STOCK DIVIDEND

SEPTEMBER 8, 1952.

Notice is hereby given that Electric Bond and Share Company ("Bond and Share"), a registered holding company, has filed a declaration under the Public Utility Holding Company Act of 1935, and has designated section 12 (f) thereof as applicable to the proposed transactions which are summarized below.

American & Foreign Power Company Inc. ("Foreign Power"), a registered holding company subsidiary of Bond and Share, has declared a dividend payable in cash and additional common stock of Foreign Power, as more fully set forth in the declaration of that company (File No. 70-2925), and concerning which a hearing has been ordered by the Commission (Holding Company Act Release No. 11464). Bond and Share as the holder of 3,902,956 shares (54.60 percent) of the common stock of Foreign Power will be entitled to receive 39,029 shares of additional common stock of Foreign Power as its proportion of the stock dividend. Bond and Share seeks such authorization as is necessary by the Commission for the acquisition of such additional 39,029 shares of the common stock of Foreign Power.

The Commission having ordered that a hearing be held on the declaration of Foreign Power, no action may be taken with respect to the declaration of Bond and Share until that matter shall have been determined.

Notice is further given that any interested person may, not later than September 18, 1952, at 5:30 p. m., e. d. s. t., request the Commission in writing that a hearing be held on such matter, stating the nature of his interest, the reasons for such request, and the issues of fact or law, if any, raised by the said declaration which he desires to controvert, or may request that he be notified if the Commission should order a hearing thereon. Any such request should be addressed, Secretary, Securities and Exchange Commission, 425 Second Street NW., Washington 25, D. C. At any time after September 18, 1952 at 5:30 p. m., e. d. s. t., subject to the action taken with respect to the Foreign Power declaration (File No. 70-2925), said declaration, as filed or as amended, may be permitted to become effective as provided in Rule U-23 of the rules and regulations promulgated under the act, or the Commission may exempt such transactions as provided in Rules U-20 (a) and U-100 thereof. All interested persons are referred to said application which is on file in the office of this Commission for a statement of the transactions therein proposed.

By the Commission.

[SEAL] ORVAL L. DUBOIS, *Secretary.*

[F. R. Doc. 52-9959; Filed, Sept. 11, 1952; 8:47 a. m.]

INTERSTATE COMMERCE COMMISSION

[4th Sec. Application 27376]

SODA ASH AND RELATED ARTICLES FROM BATON ROUGE, LA., TO POINTS IN MIDWEST

APPLICATION FOR RELIEF

SEPTEMBER 9, 1952.

The Commission is in receipt of the above-entitled and numbered application for relief from the long-and-short-haul provision of section 4 (1) of the Interstate Commerce Act.

Filed by: F. C. Kratzmeir, Agent, for carriers parties to Agent W. P. Emerson, Jr.'s tariff I. C. C. No. 378, pursuant to fourth-section order No. 16101.

Commodities involved: Soda ash, monohydrate or sesqui-carbonate of soda, and caustic soda, carloads.

From: Baton Rouge and North Baton Rouge, La.

To: Points in Illinois, Indiana, Iowa, Missouri, Ohio, and Wisconsin.

Grounds for relief: Competition with rail carriers, circuitous routes, and operation through higher-rated territory.

Any interested person desiring the Commission to hold a hearing upon such application shall request the Commission in writing so to do within 15 days from the date of this notice. As provided by the general rules of practice of the Commission, Rule 73, persons other than applicants should fairly disclose their interest, and the position they intend to take at the hearing with respect to the application. Otherwise the Commission, in its discretion, may proceed to investigate and determine the matters involved in such application without further or formal hearing. If because of an emergency a grant of temporary relief is found to be necessary before the expiration of the 15-day period, a hearing, upon a request filed within that period, may be held subsequently.

By the Commission, Division 2.

[SEAL] GEORGE W. LAIRD, *Acting Secretary.*

[F. R. Doc. 52-9970; Filed, Sept. 11, 1952; 8:50 a. m.]